New-York Daily Times.

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FROM WASHINGTON.

The President's Health—Judicial Appointments—Kansas Affairs, &c.

THE DANISH SOUND DUES!

Correspondence of the New-York Daily Times.

WASHINGTON, Saturday, Sept. 1, 1855.

The President is expected to arrive to-day, not materially improved in health, and worried in spirit. Virginia has done him no good medicinally, but the freshening up of his political principles, by immersion in the fountains of Orthodoxy, has renewed his faith in Democracy, and his devotion to the memory of its chosen exponents.

It is supposed that General PIERCE will be consulted on the extra pay due to General SCOTT, under the resolution conferring upon him his present highest rank. The preliminaries of a decision are all arranged, and it will be announced in the course of the ensuing week.

Numerous appointments, of more or less importance will be made in a few days. The district of Judge JOHNSON, of Kansas Territory, is being canvassed upon, and his successor will, unfortunately, be some Hunk Shell Democrat of the WILSON SHANNON school. The country, of course, understands that the dismissal of Judge JOHNSON is merely a political manœuvre, designed to conceal the motives which induced the removal of Gov. REEDER. The camp meeting of vagabonds on the Missouri line calling themselves the Kansas Legislature, have, I perceive, denied the right of the President to remove a Judge; the formation of this opinion, on the part of these learned persons, was owing to a mistake in the order of the proceedings by the Administration. ELMORE, the Southern Judge, was removed first, and the uninformed portion of the spectators in Kansas supposed that the farce was over. Had the play begun with the expulsion from the bench of the Free State Judge, the audience would have entered into the spirit of the scene, and given the proceedings their warm approval.

In respect to the right of the President to move a Territorial Judge, it may be considered a settled point. The practice of the Government has been uniform since a decision of Judge MARSHALL, 25 years ago, announcing the doctrine that the Territorial Courts were not included in the class of tri*bunals referred to in the Constitution, of which the* Judges hold office for life. Mr. FILLMORE removed the Chief Justice of Minnesota for alleged misconduct, on which occasion Attorney-General CRITTENDEN gave a written opinion fully sustaining the right.

The modesty of the amiable clients of the Executive, sitting as the Kansas Legislature, is beautifully illustrated by their denunciations of PIERCE for not sending an army to exterminate the Free-Soilers. He is in their view, not only a "mean Yankee," but a coward. These bravos should remember, that they have several times acted that game on their individual account, and have so often been compelled to retire from before the leveled rifles of the Yankees. Whatever FRANKLIN PIERCE may be, these insolent ruffians should do him the justice to acknowledge that but for his friendly cooperation, they would not be now *drawing their daily rations and sipping* their grog at the expense of the United States.

It is probable that the document referred to in some of the German papers as the official defense of the Danish Government of their asserted right to levy the Sound tolls, *is spurious*. But the real manifesto has been prepared, and though not com*municated to this Government, is said to be in the* hands of the Russian and Prussian Legations here. *It is practically a small matter, and not worth* making much fuss about; but as a question of principle and national pride, is of importance. The principle in fact is identically the same as that on which the piratical States of Algiers, Tunis and *Tripoli imposed an annual tribute upon all com*merce passing before their coasts, and entering or leaving the Mediterranean, about the beginning of this century. The progress of public sentiment and national law on such pretensions is shown by the course of the United States towards those corsairs. Under the firm and energetic WASHINGTON, a treaty was concluded and ratified in 1794, by which we paid $683,000 in cash to Algiers, and stipulated to provide naval supplies of the value of $48,000 per annum, in commutation of the tribute which she claimed. And this tribute might perhaps have continued to be paid as long as Algiers existed, had not further aggressions on her part compelled the war which destroyed her power and freed our commerce from this disgraceful burden. Algiers succumbed to the spirit of the age, and so must Denmark.

The present treaty will terminate in April next, when, if the tolls continue to be demanded, American shipmasters will be instructed not to pay. If they do not pay, Denmark may attempt to collect the tax by force. Thus the *casus belli* will be clear, and Capt. HOLLINS will be immediately ordered to Copenhagen with the *Cyane*, and will batter down that ancient capital exactly as he did Greytown. This exploit will be performed just in time to operate upon the Cincinnati Convention, and on receipt of the news PIERCE will be renominated by acclamation, and BORLAND or HOLLINS will be associated with him as Vice-President. I cannot assert that I have received this programme of proceedings from an official source, but its details are so eminently consistent with the policy of the Administration, that I have not felt at liberty to withhold the alleged scheme of operations from your readers. AQUIDAY.

FROM BUENOS AYRES.

Further Revolutionary Movements in Buenos Ayres.

Correspondence of the New-York Daily Times.

RIO DE JANEIRO, Monday, July 16, 1855.

The last steamer from Buenos Ayres brought us the news of a conspiracy to overthrow the Administration of President ORIBOADO, which fortunately was discovered in time to prevent its execution. The leaders in this horrible conspiracy were Gen. FLORES, a native of the city of Buenos Ayres, Col. LARDOS, and ROSAS, of Montevideo, a near relative of the celebrated General ROSAS, of bloody notoriety.

The plan of the conspiracy was to assassinate Gov. ORIBOADO and the Secretary of War, MITRE, —not the MITRE who won the battle of Tola last Autumn—as they were coming out of the Cathedral. This done the artillery, which had been bought over by the conspirators, was to fire on the National Guard at the Cabildo, a large building within range of the fort, and where the Guards are stationed. The assassination of Gen. HORNOS, who is absent in the country to suppress the Indian invasion, was part of the plan.

The conspiracy was revealed to the authorities by a sergeant whom the revolutionists had been trying to buy over to their cause. A few of the persons implicated in the affair have been arrested, *but, as is usual in such cases, the most guilty* once have escaped.

It is the opinion of your correspondent, formed after careful inquiry while in the Province of *Buenos Ayres, that the time for a successful revo*lution has gone by. The masses are tired of such things, and the vast improvements made in the City since the close of Rosas' reign, prove clearly to their minds and eyes that only permanent peace can give them prosperity.

Here at Rio there is no news of interest. The health of the City is good, and business dull in the coffee line.

The U. S. ship *Susquehanna* was towed into the harbor on the 13th inst., by H. B. M. steamer *Trident*. The U. S. ship *Germantown* is at Montevideo, where she arrived May 26. The U. S. brig *Bainbridge* sailed from Montevideo for this port on the 6th, to touch at St. Catherines.

NEW-YORK CITY.

COMMON COUNCIL.

Meetings of Both Boards.

The Aldermen and Councilmen commenced the September Session last evening.

The most important matters were the Report of the Comptroller and a Message from the Mayor, both of which we give in full.

THE CONTRACT SYSTEM, OR CHEAPING STREETS.

A communication was received from the Comptroller, stating that he had settled with the contractors for cleaning the streets of the Third, Fifth, Seventh, Eighth, Ninth, Eleventh, Thirteenth, Fifteenth, Sixteenth and Eighteenth Wards. The report specifies the amounts contracted for, with names of the contractors, and the expenditures so contracted with previous disbursements for the same.

THE CENTRAL PARK.

The *Commissioners of the Central Park*, sent in a communication in reply to a resolution of inquiry of the 16th of August, as to when they would be able to make their report, relative to the same. The Commissioners state that the estimate and assessments are nearly complete, and will shortly be ready for the Counsel to the Corporation. They have been delayed by circumstances beyond their control, but doubt not they will be able to submit their report during the present month. The communication was ordered to be entered at length on the minutes.

SEMI-ANNUAL REPORT OF THE CHIEF OF POLICE.

The Chief of Police submitted his semi-annual report, showing the number of persons apprehended for felonious misdemeanors, and other offenses in the City, from the first day of January, to the thirtieth day of June, inclusive, with citation of other facts relating to the department.

The following is a summary of the report:

Arrests by the Patrol Force	20,[illegible]
Arrests by the Reserved Corps	4,[illegible]
Total	24,[illegible]

In the different Wards the arrests are given as follows:

First Ward	1,408	Twelfth Ward	118
Second Ward	1,075	Thirteenth Ward	612
Third Ward	1,204	Fourteenth Ward	696
Fourth Ward	2,179	Fifteenth Ward	880
Fifth Ward	1,042	Sixteenth Ward	728
Sixth Ward	2,195	Seventeenth Ward	1,750
Seventh Ward	900	Eighteenth Ward	1,271
Tenth Ward	1,008	Nineteenth Ward	348
Ninth Ward	975	Twentieth Ward	661
Eleventh Ward	1,816	Twenty-first Ward	661
		Twenty-second Ward	600

The following gives us the offences for which the arrests were made, and respective number of committals for each offence:

Arson	16	Intoxication	6,077
Assault with intent to kill	100	Keeping disorderly house	67
Assault and battery	1,507	False pretences	35
Attempt at rape	7	Murder	19
Attempt to steal	104	Petit larceny	3,560
Attempt at burglary	26	Picking pockets	130
Burglary	166	Robbery in first degree	44
Disorderly conduct	7,[illegible]	Selling liquor without license	22
Forgery	32	Selling lottery policies	93
Fighting in the streets	687	Violating Corporation Ordinances	577
Grand larceny	431	Vagrancy	1,[illegible]
Gambling	236		
Intoxication and disorderly conduct	9,[illegible]		

Minor offences the remainder.

The force of the Department is stated as follows:

Captains	26	Sergeants	60
Lieutenants	44	Policemen	900
Total			1,107

Eight vacancies are stated as being in the Department.

The total men detailed on special duty are given as 172.

The report on motion was laid on the table, and ordered to be printed in documentary form.

Board of Councilmen.

In the Board of Councilmen a report was presented by the Clerk in relation to the relative quantity of business performed in this and the other Board, from which the following extracts are taken:

That the Board of Councilmen have this year received from the other Board and passed in concurrence on 765 documents, up to the 1st of September last. That the Board of Aldermen have, up to the same period, passed on 746 bills, which were transmitted to the Mayor for approval.

That the Board of Councilmen have concurred in 219 bills since the 1st of January last, which were transmitted to the Mayor for approval. That the Board have held 71 meetings since the 1st of January last, or an average of one meeting per week.

That the Board of Aldermen had a large number of bills unacted on at the commencement of the year 1855.

That the Board of Councilmen have acted on less bills then during the same time in 1854. That the Board of Aldermen has been more active this year than in 1854. The Councilmen in about an equal proportion, and if this proportion should continue the other Board will become the originating Board.

Ordered to be placed on file and printed in the minutes.

Board of Supervisors.

The Board of Supervisors met yesterday, at 4 o'clock, His Honor the Mayor in the Chair. The Committee on County Offices submitted a report recommending payment of additional bills of the Census Marshals, seventeen in number. The bills were all cut down from their original amounts, and, after a prolonged discussion, ordered to be paid as reduced.

The Board passed upon a few minor bills, when it adjourned to Thursday.

THE MUNICIPAL FRAUDS.

The Investigating Committee on "Farey"—Are there Frauds in the Street Commissioner's Office.

The Committee of Investigation of the Board of Councilmen, as to alleged frauds in the office of the Street Commissioner, held an adjourned session yesterday afternoon at the room of the City Library, when there were present Councilmen WILBUR, (Chairman,) PINCKNEY, JACKSON, GRAY and SMITH, being the Committee entire. Mr. GRAHAM was present in behalf of Mr. FUREY.

The first witness called was

William H. Adams, who, being sworn, in reply to questions by the Committee, said: I am in the habit of building piers; I do not know of any money having been paid to the Street Commissioner for the purpose of obtaining contracts; I have never paid one cent, nor one hundred dollars, or any other sum, to the Street Commissioner, for the purpose of having him draw the proper requisition on the Comptroller for money due me for work done; I know a person by the name of Andrew Clarke; the man I know sells liquor by retail in Hudson-street; I do not know that he is a contractor; I have heard myself that he was doing work at Pier No. 1, East River; I never told him or any other man that I paid one hundred dollars to the Street Commissioner for every requisition which he drew.

Chairman—Have you ever paid the Street Commissioner any money whatever?

Witness—I do not know that I have paid him anything or not. Let me see—I think one time I met him out of town, and he asked me to lend him $3 or $5, and I let him have it—he was treating some friends.

Councilman Gray—That is an evasion of the answer. Let us properly understand your reply?

Witness—I suppose he has got that amount. I never asked him for it. I did not go out with him, but he came in where I was.

Councilman Pinckney—Have you ever paid the Street Commissioner any money? Let us understand your answer.

Witness—No, Sir.

Q.—Did you ever give to any other person money to pay to Mr. Furey? A.—I don't think I ever did. I am pretty certain.

Councilman F. Gray—*That is not an answer to the* question, Sir.

Witness—I am pretty certain. I do not know of any money paid to Street Commissioners by any other person, and I am able to tell you all these things as some men can; I meddle with *my own business only*.

Councilman Pinckney—Did you ever deposit, or cause to be deposited, any money to the credit of the Street Commissioner in any bank?

Witness—No, Sir.

Chairman—Do you know of such being done?

Witness—No, Sir.

Witness—I do not think that I have built any piers this year, but I have done some repairing. The last work that I did in that line I think was in June, 1854; it was at Charlton-street, pier No. 45 North River; I should much like for the Committee to pay me for that job; I have received on account of that work the last payment, but not the two first; I had a legislative drawn on the Comptroller for each payment; I went to position of this, however, but I think the Department drew a legislative, when the payment was due; it was at the time that Mr. Flagg was away about the Rock Island Railroad, of which he is treasurer; the Street Commissioner was sick at the time; Mr Flagg, however, would not pay those legislatives, and when the third became due I asked for it and it was paid; the other two legislatives have not yet been paid; I never paid the Street Commissioner anything to draw the requisitions, nor did I ever give anything to anyone else for the purpose; I am now speaking of my connection with the Street Commissioner only.

Chairman—Did you ever pay, or cause to be paid to him, directly or indirectly, any money for performing any labor for you?

Witness—No, Sir; I do not know that he ever performed any duties for me but what was in his legitimate duties; I do not know of his ever receiving money for doing his legitimate duties; I never paid him any fee or reward for any service to me, nor do I know of any person having ever paid him one dollar; I have heard of things of the kind, have heard such disclosures, but I am not in any a good deal, and they have created rumors that men have had to pay illegal fees.

Government Pinckney—Have you any reason to believe the truth of such rumors?

Witness—No, Sir.

Councilman Jackson—I move that we now adjourn to go into matters to the Commissioners of Health; we have been sent for. [Motion lost.]

Thomas H. Ferris was then called as the next witness; he not answering, Councilman Gray requested the indulgence of the Committee, Mr. Ferris being obliged to leave town; he would be present at the next meeting.

John Surns, sworn, says: I am Inspector in the Custom-House; I have been inspector upon the streets up town; not on sewers but on curbing and guttering job; I have acted on more than one piece of work at a time; I had two at one time, no more than that; you can see that by the report of the Comptroller; I had the setting of the curb and gutter in Forty-third and Fifty-third sewers, the former from the Fifth to the Eighth-avenue, and the other from the Eighth to the Sixth; I do not remember having done any jobs like this before, but I will not swear positively to this; I never paid the Street Commissioner any part of the money that I received; I never made him a present, and did not intend or promise to do so; it must be about four months since I had these jobs; I can't tell what month this was in.

Councilman Pinckney—Your memory is bad.

Witness—Sometimes bad and sometimes good.

Councilman Pinckney—A convenient memory, eh? Were you inspector on this work at the same time that you were employed in the Custom-House?

Witness—Yes, Sir, and I should like some more such jobs.

Councilman Pinckney—No doubt.

James Woodhull and John Partridge were then called, but, they not appearing, it was resolved to obtain attachments to issue, to procure their reply.

The Committee then adjourned.

THE PROHIBITORY LAW.

The victims to intemperance yesterday arrested, under provision of the Prohibitory Law, numbered 35, as follows:

At the Tombs, before Justice Connolly	16
At the Jefferson Court, before Justice Davidson	12
At the Essex Police Court, before Justice Wood	6
Total	35

Immigrants from Kansas.

Correspondence of the Missouri Democrat.

SHAWNEE MISSION, K. T., Sunday, Aug. 26, 1855.

GOVERNOR'S POSITIVE PROMISES.

I have mentioned that one of the initiated into the secretes of DAVY ATCHISON'S political proceedings, that it is the intention of the Kansas-Missouri Junta to nominate General BENJAMIN F. STRINGFELLOW as the Pro-Slavery candidate for Governor of Missouri for the next Gubernatorial campaign. He firmly relies upon the promise of his brethren and to run the Congressional through, I believe, he has repeatedly been promised to do so, and would inevitably be elected, if nominated during the present political excitement.

THE RAVE OF ALL.

Kansas is a free Territory! It became of that system, first tacitly, that institution, that "either," that legislature, then Congress, and it "blinked up a devil of a row" because *President PIERCE forgot to send it a fast Gov*ernor also. Important laws (to the phrase of a Missouri member) are "rushed through" as rapidly as—conceived, written, presented, read a first time, read a second time, considered, engrossed, read a third time and passed; and all within ten minutes or a quarter of an hour! Truth here is not estimated as it is estimated elsewhere. A year is an age, and a day a long time ago. A few days since Mr. WHITLOCK, in a speech on the Boundaries bill, remarked:

"Sir, my people have been provoked by the Abolitionists from *time immemorial*, as it were—ever since the tide of emigration began to run into Kansas!" Stand from under!

OFFICIAL CORRUPTION.

The Atchison Bank bill was defeated by one vote only. It is reported that a motion to reconsider will be made. It is rumored also that one counsellor had been bought, and that if the motion is carried the act will pass. An Anti Bank Councilor has given public notice that if the bill passes he will move that a certain member, whose honesty is suspected, be expelled from the Legislature.

A FIGHT.

A fight occurred in the Council Chamber this morning before that honorable body met. Dr. BROWN of Westport, struck Councilor McDONALD between the eyes. The difficulty originated about a preemption claim. Bystanders prevented the gentlemen from continuing their pugilistic exercises.

ANOTHER UNCONSTITUTIONAL ENACTMENT.

The latest unconstitutional enactment passed by this body is contained in the Election bill. It decrees that aliens, desirous of becoming citizens, shall take an oath to support the Constitution, Organic Act and *Fugitive Slave law*. Congress alone has the right to prescribe the conditions of naturalization, and it does not enact that an alien shall swear to support the Fugitive Slave law.

JUDGE ELMORE'S LETTER TO CALEB CUSHING.

I mentioned in a late letter that Judge ELMORE had received not to submit to the President's unconstitutional mandate of removing him from his office, as an Assistant Judge of the Territory of Kansas. To the kindness of his Honor, I am indebted for the following copy of his letter to the Attorney General of the United States:

SHAWNEE MISSION, Thursday, Aug. 23, 1855.

SIR: I received yours of the 6th on the 20th. I did not expect the explanations and reasons assigned in my communication of the 11th of July to have been satisfactory to the President, for I felt confident that the President's course being dictated altogether by political policy, which would not be successful without the removal of an equal number of Territorial officers from the North and from the South, was fully determined upon (ex-parte as it evidently was,) on the date of your letter of the 14th of June, and I gave the statement of the facts, and the reason which induced me to become a party to those contracts in the way of explanations, so that the facts and my reasons might be placed on file in the Department.

The Legislature has deemed it proper and right to locate the seat of justice in and for the county of Calhoun at the town of Calhoun—a town laid out on the reserve granted to the half breed Kansas Indians, (in which neither of the parties to the contracts heretofore submitted by Gov. REEDER and others have any interest *whatsoever*,) and *surely they would not have done so if they had conceived for one moment that by so doing* they apparently violated the acts of Congress, or the Regulations of the Department. I asked, for information, what act of Congress, and what regulations of the Departments I had apparently violated, and I consider that I had a right to expect that I should receive such information, and, as it has not been given, I must think that I have not apparently violated even the spirit of a single act of Congress or regulation of the Department, otherwise the information would have been imparted in your letter of the 6th inst.

The 27th section of the act known as the Nebraska and Kansas Act, fixes the tenure of office of the Judges of the Supreme Court in these words: "And they shall hold their offices for the period of four years, and until their successors shall be appointed and qualified." No power is given by the bill to the President to remove. And if you will examine the tenure of office of the Governor, the Secretary, the District Attorney and Marshal, you will see a marked difference. The power to remove all and each of these officers is expressly retained in these words, "unless sooner removed by the President." (See the 20, 21, 27 and 28th sections, pamphlet acts 1855-6, p. 324.)

I must think, if the English language means anything, that the President has not the power or the right to remove the Judges of this Territory, at his will and pleasure, and on the Territorial Legislature has deemed it right and proper to express an opinion on the subject, which is contained in the resolutions herewith enclosed, I cannot consent to the action of the President, and I hereby give notice that I shall contest this action through the Courts of the country. Respectfully,

RUSH ELMORE.

Hon. CALEB CUSHING, Attorney General U. S.

The two Houses then went into joint session and elected all the various County officers in the Territory, *a list as long as one mean, and interesting to no one* ahead.

PURSING RAPIDLY SUITED!

I warn all speculators and incoming emigrants to Kansas to be suspicious of newspaper descriptions of Sites and Counties in this Territory. A few days ago I was offered a lot, which three disinterested judges stated estimate as worth $[illegible] at least, if I would give the city of Lecompton favorable notice in the Missouri Democrat.

PROHIBITORY LAW.

OPINION OF JUDGE STRONG.

The Prohibitory Clause Adjudged Unconstitutional.

SUPREME COURT.

The People of the State of New-York, upon complaint of John Mathews, vs. Thomas Tupples.

For plaintiff, J. M. Van Cott and N. F. Waring. For defendant, J. A. Lott and A. Hadden.

S. E. STRONG, J.—This cause comes before us on an appeal by the defendant from a judgment rendered against him by a Police Justice of the city of Brooklyn, for the alleged violation of the Statute for the "prevention of intemperance, pauperism and crime," commonly called the Prohibitory Act. The complaint was preferred before the Justice by a policeman, pursuant to the 18th section of the Statute. It stated, in substance, that on the 17th of July, 1855, the defendant sold, and kept for sale, and had in his possession with intent to sell, in Montague-street, in the Third Ward of said city, intoxicating liquor, to wit, brandy and champagne, in violation of the said Statute; and that said offence occurred in selling one glass of brandy, and one bottle of champagne. When the defendant was brought before the Justice, his counsel moved that he should be discharged on the grounds that it did not appear by the complaint that any crime or offence whatever had been committed; and the act under which the prosecution had been instituted is unconstitutional and void. The motion was denied. The defendant then said that he did not request to be tried by a Court of Special Sessions, but that he objected thereto, and offered to give bail to appear at the next Court having criminal jurisdiction. The Justice overruled the objection, declined to receive such bail, and required the defendant to plead to the charge.

The defendant thereupon pleaded not guilty. A trial was immediately had before the Justice, without a jury; the defendant was convicted, and sentenced to pay a fine of fifty dollars and the costs; and it was adjudged that the intoxicating liquor should be forfeited. The defendant's counsel objected before the Justice that the complaint was defective, because it did not aver that the liquors alleged to have been sold were not liquors, the right to sell which in this State is given by any law or treaty of the United States. If such an averment was necessary, the Justice should have dismissed the complaint by reason of the omission. The statute does not direct what the complaint shall contain, and that is, of course, left to the rules of the common law.

The complaint is a substitute for an indictment, so far as it relates to substance, and requires, at least, as much particularity—indeed, the authorities say more. Mr. Chitty, in his approved work on criminal law, (vol. 1, p. 261-2,) says, "It is a general rule that all indictments, upon statutes, especially the most penal, must state all the circumstances which constitute the definition of the offence in the act, so as to bring the defendant precisely within it." "And," (he adds,) "not even the fullest description of the offence, were it even in the terms of a legal definition, would be sufficient without keeping close to the phraseology of the statute." In the case of the People vs. Allen, (3 Denio 78,) Beardsley, C. J., says an indictment upon a statute must state all such facts and circumstances as constitute the statute offence, so as to bring the party indicted precisely within the provisions of the statute. If the statute is confined to certain classes of persons, or to acts done at some particular time or place, the indictment must show that the party indicted, and the time and place" (where and) "when the alleged criminal acts were performed, were such as to bring the supposed offence directly within the statute." There can be no doubt as to the principle; it is reasonable and proper, and is not controverted by any respectable authority. The first section of the act under consideration, declares that intoxicating liquors, except as thereinafter provided, shall not be sold or kept for sale, or with intent to be sold, by any person *for himself or any other person*, in any place whatsoever. These expressions are certainly very broad and comprehensive, and they are not so restricted by their reference to subsequent exceptions, as to make any negation of such as are included in other sections a necessary part of the description of any alleged prohibition. (Popham, 22, 4; Hawkins, b. 2, ch. 25, s. 113.) The last clause of the first section, however, declares expressly that the *section itself shall not apply* to liquor, the right to sell which in this State is given by any law or treaty of the United States. The statute does not forbid the sale of all intoxicating liquors. A large class certainly is exempt from the prohibition. It is not necessary that I should consider, in discussing this point, how far the qualification extends, but it is material to the decision of another point involved in this case, and I may as well express my opinion about it here.

The question which has been agitated upon this point is, whether the exception refers to foreign liquors only while in the hands of the importers, and contained in the original cask or vessel, when, according to the decisions of the Supreme Court of the United States, the right of sale is given by Congressional legislation, or to such liquors at all times and in whatever condition they may be—in other words, whether it refers to the liquors *themselves* or to their status. It must be admitted that the language is susceptible (and I think equally susceptible) of either interpretation. In these cases the rules of construction are different, according to the character of the statutes—whether they are purely remedial or penal. The former is entitled to a liberal, while the latter is confined to a strict construction. A statute is purely remedial when it furnishes additional means of redress to an existing wrong. In criminal cases it applies to something that is already unlawful *or to make a new prohibition*. If it then creates of the remedy only, or if it affects all alike in the punishment of acknowledged crime, we readily admit that statutes designed for that purpose are entitled to a favorable construction. But it is otherwise when the statute creates a new offence. It is then an innovation, often an encroachment upon previous rights, and its correctness or justice is not always conceded, or generally admitted. The rule is, therefore, very properly, that such a statute should be construed strictly; that nothing should be deemed a crime but what it has clearly and unmistakably declared. No man should be punished for an act (previously lawful) under a new statute, unless it clearly announces to him, beyond any reasonable doubt, that it is criminal. Now the statute under consideration is creating a new offence. True, it was a misdemeanor before, to sell strong or spirituous liquors or wines in quantities less than five gallons without a license. But the offence under the Revised Statutes was only a part of what was rendered a crime under the Prohibitory Act, and as the latter is integral, it is in effect now, and must be so considered. Applying the principle of construction I have endeavored to illustrate to the qualifying clause of the first section, and taking that by itself, the prohibition would not extend to imported liquors at all. But there is another rule in giving a construction to an expression in a statute equally indicative of two varied meanings, and that is, that the whole enactment must be considered, and if one of the interpretations is consonant to the other provisions and the main scope and design of the act, and the other not, that which is consistent shall prevail. It is not then a question of strict or liberal construction, but the propriety of producing reasonable certainty. Now, no one who reads the act in question, and considers its object, can hesitate a moment in coming to the conclusion that the Legislature intended to prohibit entirely the sale of imported liquors as a beverage. Indeed, the statute would be wholly inoperative if it did not go to that extent. Instead of being an extension it would be a relaxation of the Judges of this State. It would then be a question of the right of the Legislature to prohibit the sale of such liquors, not *controverted by any respectable authority*. The first section of the act under consideration, declares that intoxicating liquors, except as thereinafter provided, shall not be sold or kept for sale, or with intent to be sold, by any person *for himself or any other person*, in any place whatsoever. These expressions are certainly very broad and comprehensive, and they are not so restricted by their reference to subsequent exceptions, as to make any negation of such as are included in other sections a necessary part of the description of any alleged prohibition. (Popham, 22, 4; Hawkins, b. 2, ch. 25, s. 113.) The last clause of the first section, however, declares expressly that the *section itself shall not apply* to liquor, the right to sell which in this State is given by any law or treaty of the United States. The statute does not forbid the sale of all intoxicating liquors. A large class certainly is exempt from the prohibition. It is not necessary that I should consider, in discussing this point, how far the qualification extends, but it is material to the decision of another point involved in this case, and I may as well express my opinion about it here.

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THE CITY GOVERNMENT.

Important Message from the Mayor.

The Mayor's Recommendations on Various Topics of Public Interest.

The following Message from the Mayor was received by the Common Council at its session yesterday:

MAYOR'S OFFICE, NEW-YORK, Monday, Sept. 3, 1855.

To the Hon. the Common Council:

GENTLEMEN—On the 11th of January last I made a communication to the Common Council, containing several recommendations, which, at the time, appeared to meet with general public approval. The recommendations comprehended many important reforms. They covered a wide field for legislative action, touching several serious evils, and pointing out the proper mode of removal. I see now, regretfully, to call your attention to that message, as well as to others subsequently made by me, in which suggestions for the same purposes have been offered, but which, as you, have not been acted upon or even considered. I am aware that many subjects appertaining to daily arising contingent questions, or doing individual favoritism, are continually pressing upon your attention, and that much time is devoted to them; yet, their insignificance, as compared with the great subjects referred to by me, involving indirectly the prosperity, and directly the comfort and health of this whole people, should cause their rejection altogether, if in their consideration others vital in their consequences, are to be neglected or overlooked. Government is for all, not the few. Its blessings are to be distributed for the general welfare. Special legislation for the advancement or protection of individual interest by sacrificing or jeoparding those of the whole, is antagonistic to the theory of our institutions, and detrimental to the public interests. This holds good even where special legislation is proper within itself, as involving nothing corrupt. No one man or class of men, or indeed any large or integral part of the community, should be exclusive recipients of governmental favors. Especially is this true, when the municipal affairs of a whole community are suffering as they do now in this City, for the want of proper general legislation. Your attention is respectfully called to this department to do much for the public advantage and to effect many valuable reforms, which it has in the power to do with the restrictions placed over it by the charter. It is made my duty to recommend, and I legitimate discharge your duty to consider these recommendations, and if approved to adopt them. I regret to add, that with but few exceptions, the many suggestions made by me thus far since holding this office, have not been alluded to in your proceedings, much less considered or adopted. Permit me, therefore, to ask with great respect and deference, that they be now taken up for serious deliberation.

The message of Jan. 11 covered nearly all the subjects of municipal government upon which you are called to act, viz.: The public finances, with recommendations as to the proper security of the public money; increase of revenue, without increased taxation; reduction of expenditures; the stoppage of speculation, and of the imposition of petty and vexatious burdens upon the people; and the entire eradication of a class of sharks who are ever to be found around the chambers and the departments; also, suggestions with reference to the all important subject of the public health, involving life, comfort and the general physical well being; and the necessary facilities required in the transaction of the great commerce of New-York, together with several other topics, all requiring action, either at Albany, to be sustained upon your recommendation, or within your own power to give. These subjects were divided into heads, each treated separately, as follows:

The State of the Finances.
The Streets—the Opening, Grading, Regulating.
Taxable Property—Its Increase.
Abolition of Fees—Salaries instead.
Interest to be Charged upon the Public Deposits.
Estimates and Appropriations.
Suspended Sales for Taxes and Assessments.
Contracts—Their Fraudulent Making.
City Railroads and Omnibuses.
Emigrants—Their Proper Protection.
Police—Its Duties, Discipline and Efficiency.
Spring Charter Elections.
Central-Park—Its Speedy Completion.
New Public Buildings—City Hall.
Public School Expenses and System.
Revision of the Ordinances.
The Docks—Their more Substantial Construction.
Non-Payment of Public Creditors.
Relief to Broadway.
Cattle Driving in the Streets.
Dirty Streets—To exist no longer.

It is unnecessary to recapitulate the arguments and statements with which these topics were discussed. For these, I refer you to the message itself, and again ask that they may receive an early and serious consideration.

I cannot, however, dismiss this reference to that message, without alluding more in detail to some of its recommendations.

CATTLE DRIVING IN THE STREETS

was one of them, and it still continued, without any ordinance to prevent, notwithstanding my urgent and emphatic language, and the ordinances of some of your own Boards. Of this evil that message said: "The practice of driving cattle through the streets of the City is another evil, calling for prompt action. It is an abuse which our citizens have submitted to too long. *In my opinion this Common Council will deserve the severest censure, if, like its predecessors, it timidly shrinks from its duty in ridding us of this dangerous nuisance.* Not only is the health of the whole population jeoparded by the unwholesome odors arising from the collection of these animals, but it not unfrequently secures that life, limb and property are destroyed by it."

NEW CITY HALL.

The contemplated new City Hall is another matter too long delayed. Its necessity has become urgent. The City is now paying large sums for rent to accommodate several of the public officers. The Courts and all the public departments are crowded to a degree of insufficient room, and the difficulties having origin in the want of proper ordinances and regulations, it is not in their power to afford more than temporary relief. Remonstrances from the merchants, marketmen, countrymen and citizens are constantly coming to the Mayor's office, asking for the removal of these really serious evils. We have but little power over them, and I therefore express the hope that you will take it in hand, and adopt such measures with reference to it as may in your judgment be called for.

EXTRAVAGANCE AND CONVENIENCES.

By section 499 of the ordinance passed May 30, 1849, for the making of contracts, it was required that each bid "shall be accompanied by the consent, in writing, of two householders or freeholders in the City of New-York, to the effect that if the contract be awarded to the person making the estimate, they will, upon its being so awarded, become bound as his sureties for its faithful performance, and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference between the sums to which he would be entitled upon its completion, and that which the Corporation may be obliged to pay to the next highest bidder, to whom the contract may be awarded." This provision was intended to prevent the letting out of bids to persons having no responsibility, and thus preventing competition. In practice, a different phase has in some by the omission or refusal of the law officers to execute, leaving it to a higher bidder the award of the contract. The object is good, and if complied with would have saved to the City many hundred thousand dollars. I regret to find, however, that little regard has been paid to it. Bidders have been permitted to omit taking the oath, without any objection on the part of the Departments to hold the signature to the liability which they had assumed. In a recent case it was ascertained that four persons composing in business had each put in an estimate at different prices for the same work, offering each either to undertake it. The award was made to the lowest bidder, who, on its being ascertained, called in four, who did not appear; and to the next lowest, also one of the four and he did not appear; and finally to the fourth offer party, who did appear, took the contract to do the work at a far higher price than the others had bid. These bidders were equally interested in the work. None of the sureties offered when the contracts were put in, were held responsible. This omission appeared to be general among the departments. It will be seen by the memorial that the omission to hold the sureties, whose obligations accompany the bids when offered, proper, in effect, the contract system a nullity. Thus, the law has in another case been made to subserve the interests of selling the lowest bidder to execute the contract, and to prosecute the sureties offered, in case of omission or refusal. I have no doubt that the difference between the bids is at once a valid obligation upon the corporation, and that the Comptroller will be justified in withholding from moneys due a surety upon any claim he may have against the Corporation the full amount of such difference. If this be so, may it not be worth while to ascertain why, if any of the contractors doing work to be paid for by the City may not have responsible sureties for derelict bidders, and whether a General should now be made and thus collected for any loss by his non-compliance.

To meet this section of the ordinance referred to yet more effectually, I would recommend that it be amended by making it obligatory upon bidders to furnish sureties who will qualify as to their responsibility at the time of putting in the estimate.

Nothing in this communication is intended as a reflection upon the Legislative branch of the City Government, with whom I am really desirous of acting in harmony and without conflict. If the language appears strong, it results from the deep concern felt by the head of the Executive branch of the public service, in view of his own responsibilities, and a conviction that in spite of the people, he will be held responsible for much that is done in our Corporation affairs, but which, in many instances, to improve, without your authority or action in advance. The Mayor, without asking that his own powers shall be increased, knows as they are, that unless they may be with advantage enlarged to remove the thousand evils and errors now so patent in the government, or place the power to do so, wherever in your judgment it will be safest and most profitably exercised. I have no wish to increase my own labors, but am ready to assume any additional burden, if in the increased comfort and prosperity of the great City, ever whose destinies it should be our pride and glory to preside with fidelity, will, faithfulness, and with usefulness.

Very respectfully,

FERNANDO WOOD, Mayor.

MAYOR'S OFFICE, NEW-YORK, Aug. 31, 1855.

A. C. FLOYD, Comptroller, &c.:

DEAR SIR: I herewith transmit to you a copy of a communication addressed by me to Mr. CORNELL, the Contractor for the Enlargement of the Battery, and ask from you a statement in the one department of the public service of the City revenues allow me to call your attention to the subject referred to in my letter relative to the rents derived from the pier and ferry northwest of the Battery, and from the lease of the floating baths. Very respectfully,

FERNANDO WOOD, Mayor.

MAYOR'S OFFICE, NEW-YORK, Aug. 31, 1855.

DEAR SIR: By the terms of the contract between you and the undersigned, dated the 11th day of July last, for the enlargement of the Battery, the time for the completion of the work was limited to the 1st of July, 1856, a period almost a degree nearer than the time specified in the contract for the completion of the work, and the time for the completion of the work, and the time for the completion of the work, and the time

for 1854, page 32 of Doc. 24, that there was deposited [illegible]

In the same report it was stated that "the city of [illegible] which payment is to be made out of stationery, could be [illegible] Commissioners have purchased [illegible] Books and stationery and the aggregate for the year amounted to [illegible]. The Comptroller considered this a most extravagant estimate and cut it down to $400,000. The Committee on Finance added $40,000 for repairs on markets, making the total $440,000.

At the time there was authority to issue $300,000 of Stock, leaving a balance of $140,000. The Treasury had also advanced, at this session, for building the new Centre Street and other sewers, about $84,000. Why then should the Treasury, and if the Commissioner of Repairs and Supplies had kept within his estimate of $400,000 for the two markets and for Firemen's Hall, there would be a balance, to be embezzled by the Treasury, or to those who per chance might see opportunity, as clearly appears by the following Extract from the Minutes of the Board of Aldermen:

Resolved by Governors of Alms-house, $10,000
Commissioner of Repairs and Supplies for Markets, $25,000
Commissioner for Cattle Market, [illegible]
Commissioner for Union Market, 25,000
Commissioner for Union Market, 20,000
Commissioner for Fire Department, 20,000
Balance due Treasury, 24,000
$164,000

Leaves for Firemen's Hall, $136,000

An examination of Statement No. 12, shows that the cost of Centre Street and Washington Market was increased by $40,000 to a total of $72,000, and the former by $9,000 more on Union Market, and in each of the two cases the Treasury, in making contracts, had to make up the deficiency out of the City Treasury. The amount of labour performed in the bank, for $4,270,135 [illegible] Aldermen, it shows the amount of common bonds issued for the year ending June 30, 1854, amounting to $1,000,000. Also, the amount of bonds sold during the same period, $1,000,000. The amount of labour done, and the amount of bonds issued, being $1,000,000. Statement No. 13, shows the amount of expenses of Government, including the year ending June 30, 1854, amounting to $1,000,000. Also, the payment of $100,000, Balance outstanding, $661,000.

Statement No. 14, shows the receipts and expenditures on account of the Common Council, No. 2, partially made to the Comptroller of the Common Council by Repairs and Supplies in relation to this Fund, and the application of the Treasury, growing out of the operations. In November, 1854, when the annual estimate for the year of 1855 was made up, the Commissioner of Repairs and Supplies asked for $[illegible] for completing Catharine Market, and $[illegible] for rebuilding Union Market, with Firemen's Hall attached thereto. (See Doc. 27, Ass. Ald. 1855, page [illegible]) It appeared, by the estimate, that the [illegible] and the aggregate for the year amounted to $[illegible]. The Comptroller considered this a most extravagant estimate and cut it down to $400,000. The Committee on Finance added $40,000 for repairs on markets, making the total, $440,000.

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New-York Daily Times.

NEW-YORK, TUESDAY, SEPT. 4.

NEW PUBLICATIONS.

[illegible] HARPER & CO.

The Times for California.

THE TIMES FOR CALIFORNIA will be issued To-MORROW MORNING, in ample season for the mails per steamship *George Law*. It will contain a complete Summary of Domestic and Foreign Intelligence since the sailing of the last steamer; Editorial Articles on current topics; News Items of interest from all parts of the United States; full Congressional, Commercial, Reports of Public Meetings, Marriages, Deaths, etc. Price, in wrappers ready for mailing, 25 cents per copy. Agents will please send in their orders as early as possible.

The Railroad Disaster—Its Legal Aspect.

What is likely to be the verdict rendered by the Burlington jury in regard to the recent catastrophe, is a question of very little consequence. It would be important, were the proceedings conducted with the usual regard to form and fairness. As it is, with the flagrant disregard of appearances; with the admission of gentlemen to testify known to be in the interest of the Company, and who were not present at the scene of disaster, and could therefore testify, not to facts, but to their own private opinions only; with persons serving on the Jury confessedly members of the Company; with others serving on the Jury confessedly in the pay of the Company, by holding free tickets over the roads; with the obvious effort of the State prosecutor to share the blame between the subordinates of the train, and the driver of the unfortunate carriage—the whole proceedings must be regarded as a cool imposture, in no wise designed to evolve the truth. It is the Spotswood Jury over again.

Indeed, nowhere in the whole system of law as administered on the other side of the river, do we see a chance for the exercise of those measures of punishment to which the Company has most justly exposed itself. Laws exist to enable both the friends of the dead and injured survivors to obtain damages; but at every step of the suit the prosecutor has difficulties to encounter. It has been the practice of the managers to place annual retainers in the hands of all the first legal talent of the State, thereby classing them as counsel of the Company, and enabling them to run about gratis on the road.

The first difficulty of the applicant for justice is, therefore, to procure counsel at all equal in ability to that likely to be opposed to him. His case must go into the Circuit or Supreme Court, a majority of the Justices of which have notoriously been placed there by the monopoly, acting upon a corrupt Legislature, and fill up the place of gentlemen whose incorruptible integrity had given offence to the Company. As these magistrates, previously acting as Counsel for the Corporation, were elected with pointed reference to the obstinate honesty of their predecessors, we may readily conceive how likely the Court is to be free from all bias where the monopoly is a party in litigation. And for the Jury, it is hardly practicable to find a dozen men, one at least of whom will not, be directly or indirectly interested to sustain the Company in the face of evidence and law. It is so in civil cases. Those who have had the misfortune to have lost goods or suffered pecuniary damage of any sort at the hands of the Railroad officials, have discovered that to get a verdict, whatever the facts, is next to an impossibility. One or more undertakings of the Company—some holder of a free ticket, some owner of a share or two of stock, some subordinate, or some friend, or some relative of a subordinate, some one hopeful of pecuniary or political reward for his petty perjury, or some one directly intruded for the purpose—has been of the twelve; and has defeated the ends of justice by his corrupt obstinacy. And that it will be so in a case where the damages sought are in their absence vindictive, we cannot doubt in the view of indications presented by this inquest at Burlington.

It is possible that the position sustained before the Coroner may, in a certain few instances, be correct; that the holding of stock, or of a frank to travel the road with gratuitously, may not influence the judgment of a juryman. Such cases are, however, rare,—so much so as to forbid any hope of coming at verdicts upon them in making up a jury. The shareholder is a party immediately interested in the suit, and is, of course—notwithstanding the new decision of the Burlington authorities—excluded by the very first principles of law. Is it not odd that a witness, before this very inquest, was first obliged to free himself from a charge of holding stock in the Railroad before they would hear his testimony? And for the free-ticket, the question is a little more subtle, but none the less sure. We conceive it to be a first principle of common sense, that no person can live in the habitual enjoyment of a favor at the hands of individual or company, without a strong, and not the less strong because often unconscious, prejudice in his or their behalf. The frank is in fact the equivalent of so many dollars and cents, otherwise contributed by the holder to the Company's treasury. It is a permit for him to retain in his pocket, what without it he would have to pay; and he is richer by whatever sum that would amount to in the course of a year. It is a pension therefore; as much so as if the gold and silver were paid him quarterly in kind; and is it possible, can we be expected to believe, that the pensioner realizes no obligation to his benefactor, and may freely act as if the recipient of no bounty whatever? Even where the holder of a free pass accepts it under protest, expressed or implied, that it shall not influence his sense of right, as between the giver on the one hand, and the public or individuals on the other, men are too apt to play tricks with their conscience, too prone to excuse and palliate, and favor the side of their friends, without the suspicion of being less than Rhadamanthines in the sanctuary of their integrity. And as there are some four thousand, perhaps many more, of those free passes circulated yearly, we may imagine the difficulty of excluding both sides of the recipients from a jury, if, as at Burlington, a question on the subject is to be overruled.

So intimately, in fact, has the monopoly interwoven itself with the very life of New-Jersey—with all its interests, all its public or individual functions; it has so insinuated itself into the vitals of society, by enlisting all the bad passions of the people in its service, that to bring an action at law against them is pretty much the same as to set up a suit against the State, to be tried by the defendant itself. Hence, we entertain little hope of success attending any legal steps taken in the present instance, unless Federal jurisdiction can be made to intervene, and the venue be removed beyond the reach of the unfair influences always at work in New-Jersey. It is, nevertheless, the duty of every man with a legal claim in the premises to press it, as he will thus present the State disgraced by the monopoly with a dilemma, either horn of which must yield him some degree of satisfaction. Either he must recover his damages, or New-Jersey justice sink to an inconceivable depth of shame and contempt.

How Taxes Grow.

The report of the City Comptroller was laid before the Common Council last evening. It is an instructive document. Its detailed statements show a terrible array of figures, and prove how much it costs this model City to be governed. The amount of Taxes levied for the fiscal year just ended, touched closely upon Six Millions of Dollars; a very respectable little sum. Six years ago, we were taxed, it appears, something over Three Millions. Six years make a great difference in taxes, as well as people, as tax-payers have probably discovered, ere this, to their very great sorrow.

The Almshouse, that convenient sewer into which runs the pennyroyal that the ships cast upon our shores, has chalked up its little account, from $400,000 in 1850 to $600,000 in 1855. The last year's increase in this department amounted to $180,000. An explanation, perhaps, is to be found in the increased prices of provisions, in addition to the extraordinary influx of paupers who have claimed the care of the Board of Governors. Be this as it may, the fact remains. The Almshouse yearly becomes a heavier burden, and if it cost upwards of $600,000 last year, it is very likely to be even more expensive in the next.

The Police bill is capable, likewise, of marked expansion. In 1850 the cost of our guardians was $492,000. In 1855 it was $819,400. The increase of Policemen's salaries accounts for a large slice of this amount. Yet the question whether the City is better governed for double the money remains debatable. Who is ready to say that it is?

Salaries run up from $200,000 to $332,000 The cost of living has occasioned large increase of salaries in nearly every department of the City Government. Nor can the Corporation be greatly blamed that it has listened with open ear to the cry of famished clerks and the wail of very small young ones whose pap was not so abundantly supplied from the Government receptacle as they thought it should have been. Of the hungry people's plea we have not a word to say—yet feel constrained to inquire, Does the Police pay better on eight hundred thousand than it did on four hundred and fifty!

The School expenses have counted up largely—increasing from $267,000 in 1850 to $956,000. The State Mill Tax increases from $143,000 to $346,000. The arrearages of 1854 are counted at $481,000, and this amount is reckoned in the estimates of 1855, and formed a part of the five and three-quarter millions with which the City was saddled during the fiscal year just ended.

The Comptroller states in his Report that the account of Repairs and Supplies, and new buildings for the year, involved expenditures amounting to $209,000. Street expenses (other than paving) were $163,000; while the item of Paving is put down at $1,387,547. *One and a quarter millions of Dollars* in a year for the paving of streets! Verily, New-York should have a good foundation upon which to build its superstructure. But has it?

The Comptroller makes special mention of the fact that the City expenses proper are separated from the Trust account, and by means of this separation he reduces the outlays or Corporation account to some four millions. The amount of moneys to be raised by taxation remains, however, as originally stated: a noticeable increase over the preceding year.

The Prohibitory Liquor Law—Judge Strong's Opinion.

We publish this morning the opinion of Judge STRONG upon the Prohibitory Liquor law,—those of his associate Judges, ROCKWELL and BROWN, having already been given in our columns. It is able and elaborate,—closer in its reasoning than Judge BROWN's, and more full in its examination of the law than Judge ROCKWELL's.

Judge STRONG is of opinion that the clause of the law relating to imported liquors does prohibit their sale, except in the condition in which they may, according to decisions o the Supreme Court, be sold under authority of Congress,—that is, in their original packages. He does not think that it was incumbent on the Justice in the particular case before him, to accept the proffered bail; but he thinks that in denying the right of trial by jury, the law itself infringes the provisions of the Constitution.

Judge STRONG discusses at some length the constitutionality of the prohibitory clause of the law. Property must be protected by law, and that, too, without reference to its greater or less utility. The duty of protection extends to whatever has been held and enjoyed as property by custom and the usages of the country. No power is given to any man or body of men to discriminate. The only attempt that has ever been made in this State to legislate any species of property out of existence, was in the case of Slavery; and there slaves were not property at common law. The power of alienation is an essential incident to the right of property; and though the manner of selling may be regulated, the right to sell cannot be destroyed. That intoxicating liquors are and always have been property at common law, is clear. Imported liquors are expressly recognized as property by law, and whether the State can lawfully prohibit the manufacture of domestic liquors or not, after they have been manufactured they are evidently property. Upon this point, therefore, the Judge arrives at the following conclusion:

"I consider the statute in question as mainly prohibiting the sale of intoxicating liquors as a beverage, and destructive of its principal value, and with that impression *I must adjudge it to be null and void to that extent.*"

Of the three Judges of the Supreme Court in the Second District, *two* have thus pronounced the Prohibitory feature of the law unconstitutional—Judge ROCKWELL maintaining the opposite opinion.

Our Ferries—Another Life Lost.

Last evening another life was lost at the Fulton Ferry, that of a young man who was on his way home from this City. Such occurrences are frequent at the Fulton Ferry; and occasionally persons are drowned at the others which lead to Brooklyn. And nearly all of them are the consequence of a neglect of the Company to comply with the desire of the public that some contrivance should be adopted which would prevent persons running down the bridge for a boat when it is leaving the slip. In neglecting to comply with so reasonable a request, the Ferry Company cannot plead ignorance of the danger which exists, for they well know that they have a large number of victims to their present arrangement every year. It is plainly but another instance of that carelessness of human life which is beginning to be generally considered a sad characteristic of many of our large incorporated companies, engaged in the carrying trade. In this case there can be no excuse for years of noncompliance with a requirement, the great necessity of which is apparent on a moment's investigation, for the expense would be a trifle such as would not be worthy of consideration, even when they are exercised about coal and its price.

It is difficult to write with coolness when dealing with the conduct of the Brooklyn Ferry Company in this particular. The danger to passengers has been staring them in the face through dead men's eyes for years. The public has petitioned and demanded some protection, and petition and demand have been alike unavailing. Plans, some of which we have no doubt would afford all the protection required, have been drawn and recommended to the Company by men whose opinions were entitled to consideration, but none have been even tried. All the satisfaction that has yet been obtained is a declaration that if people will be so reckless as to run for a boat when it is leaving the slip, they must take the consequence, as no barrier can be raised which would not cause serious delay. This declaration is made in the face of the fact that sliding-guards, moving up and down through the bridges, could be so arranged as to be operated in little more than a moment's time; and that, consequently, no person could be delayed, when delay would not be necessary to personal safety. Judging from such statements, and from their entire consistency with the Company's conduct, we have little hope of obtaining any desirable change, unless there is authority to force them to it. This, if we are not mistaken, our City Government has; and if so, the sooner it is exerted the sooner will the Brooklyn Ferry mortality table show a gratifying falling off in the number of "fatal accidents."

The Press.

The Boston *Transcript* gives a very striking instance of the influence of the Press, in mentioning that, a correspondent of that paper having alluded to the lack of a perfect Bible in the Appledore House, on the Isle of Shoals, soon afterwards the proprietor of the house had fifty Bibles sent to him. We recently had a similar proof of the benefits of advertising, in the prompt and generous response of the public to a brief statement published among our items of local intelligence, of a worthy family in need of assistance. Our paper had hardly been published, when a dozen or so of benevolent individuals, from different parts of the City called at the office to tender their assistance. A very remarkable instance of the power of the Press in influencing the public mind occurred last year about this time, when the death of two or three very prominent gentlemen was announced, and the cause of their decease was attributed to oysters. The next day scarcely an oyster was sold in the whole City, and the oystermen would not have recovered from the paralysis which their business had suddenly experienced, if they had not resorted to the same means of cure which had occasioned their hurt. They procured a certificate from some respectable physicians to the effect that oysters were not unwholesome; and the day after it was published oyster-eating was again resumed, and the trade in bivalves went on again as usual without interruption.

☞ The Mayor's Message, sent in to the Common Council last night, touches upon several topics of decided importance, and will be read with general interest.

M'LLE RACHEL.

Her Debut Last Night.

The attendance last evening, at the Metropolitan Theatre, was in the highest degree gratifying, not only to M'lle RACHEL, but to the cultivated taste of the cultivated classes of New-York. The amphitheatre was entirely filled, and the upper stories contained a numerous and highly intelligent audience. In all sections of the theatre there was a large admixture of foreigners, amounting to one-half, at least, of the aggregate attendance. Nearly every one had a book, and every one turned over the leaves to the right places, so that there was a succession of little tempests in unexpected places. Neat little men, with trim beards and square brows, and gorgeous ladies with bonnets like premature cornucopias, and bracelets that reminded you of the Castle of Udolpho—some of these were without books. They evidently knew all about the play, and went to enjoy their paroxysms of applause and pathos, dropping a tear or a heel in the proper place with startling precision. Amongst the uninitiated there was a little confusion arising from a futile effort to find out in what part of CORNEILLE the first piece "Les Droits de L'Homme" was contained. But after a short time the search was abandoned, and the disappointed gave themselves up to solitude and approbrious applause, looking very guilty when the latter happened to come in in the wrong place. The comedy to which we have referred served as an overture to the grand event of the evening, but was rather long and tame for that purpose. The plot of "Les Droits de L'Homme" is an exposition of the peculiarities of the female mind, and is rather antagonistic to the rights of man than otherwise.

The heroine *Gabrielle* (Mdlle. DIXAN FELIX) is a young lady of an Amazonian turn of mind, who repudiates her lover to whom she is attached, from a disinclination to yield up her liberty, but who at length listens to the counsels of a widowed friend, *Mad. de Lesseps*, (Mdlle. SARAH FELIX) concerning the adaptability of man to the caprices of the tender sex. An example is found in the household of *M. Duval*, (M. BELLEVAULT) a gentleman who fancies himself a perfect domestic despot, but who, in fact, is as completely wheedled by his sentimental wife as any other pliant Benedick. These materials worked up into two rather long acts, not very brilliantly written, afford ample scope for the dramatic talent of Mdlle. RACHEL's three sisters, SARAH, DIXAN and LEA. At present we have not time to dwell at greater length on the performance of this comedy, which was successful.

After an intermission of twenty minutes, during which every one relapsed into the vernacular, the curtain arose on CORNEILLE's Tragedy of "Les Horaces." The cast was as follows:

Horace père	M. LATOUCHE.
Horace fils	M. RAINBOUX.
Curiace	M. BELLEVAULT.
Valère	M. CHERY.
Flavien	M. DIUDONNE.
Sabine	Mdlle. DURESNY.
Julie	Mdlle. BRIARD.
Camille	Mdlle. RACHEL.

Four acts only are given of this tragedy, the fifth being condemned by the universal voice of French criticism, as a deviation from the writers of the classic stage. The death of *Camille* by the hands of her brother, terminates the action of the tragedy as now rendered. We have already given the plot. It illustrates the severest patriotism of the older Romans; their stern mastery of human emotion; their sweltering pride; their fierce lust of glory. Not the least generosity is excited by one single character in the play. All that can be realized is a chilly sensation of horror, which may, and does in certain situations, suffuse you with a cold, clammy awe. It is only by the fire of genius that this sensation can, at long intervals, be warmed into admiration, and then how feverish and morbid. If we ask ourselves in what respect this tragedy affords verge and scope for the colossal genius of M'lle RACHEL, we are at a loss for a reply, unless we find an explanation in the fact, that all the characters are unnatural and repulsive, except *Camilla*. From the commencement to the end she is the Roman maiden, simple, affectionate, hopeful, high-minded, and self-commanding. Her earlier scenes are marked by dignified suffering. She will bear all, because she is a Roman, and because it is her duty to succumb to the will of fate. How nobly she struggles against her own nature, until at last the pent up flood of emotions bursts in a torrent of wild declamation. Yes, the tragedy serves as a pedestal for the radiant statue of the Roman maiden, and is the more serviceable that it is plain and unlaviking.

To touch with anything like justice on the manifold beauties of Mlle. RACHEL's *rôle*—or rather her interpretation of it—would take more time than we can devote to the purpose now. The perfectly feminine and gentle coloring which prevails from the first, and is so admirably preserved to the final outburst, is in itself an effect of art which we have never seen approached. In the first act, where the single combat is mentioned, and before she knows that those who are dear to her are engaged in it, you can see the joy mounting higher, higher, and then when the sad truth is told, with what desolating grief does she compare *her* sorrows with those of her sister. In the third act, where *Julia* brings the news that Alba is victorious and that two of the *Horatii* are slain, you see her features momentarily lightened with a gleam of hope, but it is as quickly dispelled when she remembers that the safety of her love has been purchased at the expense of a brother's life—or worse—his honor.

But in the fourth act the triumph of genius was most manifest. The same feminine calmness prevailed; there was no ranting, no incoherence, but in their stead a soul consuming earnestness, a cavernous echoing of a broken heart, never to be forgotten. The whole range of modern and ancient tragedy cannot afford a spectacle more heartrending than the eloquent agony with which *Camille* listens to the narrative of her lover's death, and then drops into a chair senseless. The soliloquy in which she afterwards recounts her wrongs; the marvelous changes in her voice, ascending from stage to stage of passion; the fierce attack on her brother, and her denunciation of Rome;—these must be seen, they cannot be described.

The play was received with loud applause on its termination, although it seemed to drag heavily at first—the audience missing the accustomed drop scene between the acts. M'lle RACHEL was called for and appeared, seemingly in a very weak condition. The applause was tremendous, her triumph complete. We may here add that none of the published portraits do justice to M'lle RACHEL. She is beautiful.

To-night, RACINE's tragedy of "Phedre" will be given.

BURTON'S THEATRE.—BURTON commenced the season last night, with the following pieces: "Breach of Promise," "A Kiss in the Dark," and "Deaf as a Post." M. W. BURKE made his *début* before a New-York audience, in "A Kiss in the Dark." We think he will prove a valuable acquisition to this company. A Miss KNOWLES and a Miss ROBINSON, both very pretty young ladies, also made their first appearance here. At the close of the first piece BURTON was called before the curtain, and made the following speech:

"I have to thank you for your kind and brilliant reception on this, my first night of the season. I have not been idle during the recess. I have prepared several new pieces, and have engaged several new actors and actresses, who, I trust, will merit your approbation. I have to thank you for all past favors, and I assure you I shall still strive to deserve them."

The house was crowded.

ENTERPRISE.—Messrs. MASON BROTHERS, the spirited publishers of that excellent serial, the *Musical Review*, have extended their "sphere of usefulness," by announcing two liberal premiums for prize compositions. Their scheme possesses some novelty, and we direct attention to it. The prizes are for original songs, $200 for the best and $100 for the second best; the words must be either original or non-copyright, and the compositions sent in before the 1st of October next. From the whole number submitted eight pieces will be selected and published in the *Review*. The public will then be called upon to decide which of the eight are entitled to the prizes. The last feature strikes us as being decidedly novel, for although two competitors only will get the actual prizes, six others will participate in the general fame, and by thus appealing to the public opposite a certain test will be established of what does and what does not please. It is reasonable to suppose that mere technicality will not get the prizes but that something of a more human and easily appreciated character will obtain them.

Incipient Mozarts, now is your time.

NEW-YORK CITY.

Whig Congressional Convention.

The Whig Convention for the nomination of a candidate for Member for the Fourth District, was held last evening, at Kellinger's Rooms, at the corner of Bleecker and Broome streets. The Convention was organized by the appointment of Alderman N. C. ELY, of the Seventeenth Ward, as the Chair; John W. McCue, of the Tenth Ward, acting as Secretary.

Delegates were then presented. The full delegation was present, numbering twenty-five members. A resolution was then offered and adopted, to the effect that "no candidate should be put in nomination who is the nominee of any secret Association or Order;" after which, the Convention made open nomination of the following candidates:

Tenth Ward—A. G. Williams, William Allen.
Seventh Ward—S. T. MacKinney.
Thirteenth Ward—Jos. H. Petrie.
Tenth Ward—Thos. Seymour.
Seventh Ward—Morgan Morgans, Isaac Newton.

Ballot was then gone into with the following result:

	First Ballot.	Second Ballot.
Morgan Morgans	8	
William Allen	8	13
Theo. Seymour	3	
Jos. H. Petrie	3	4
A. G. Williams	3	3
S. T. MacKinney	3	3

Mr. BELCHER was then appointed to wait upon Mr. ALLEN, and inform him of the selection made, and the Convention adjourned.

K. N. Council of the Seventh Ward.

At the meeting of the Seventh Ward Council, last evening, a number of members withdrew from the organization, thus reducing the strength of the Council to less than one hundred and fifty, while before the "Test Question" was introduced it numbered between five and six hundred. Mr. JAMES W. BARKER was present, and on being alluded to in a speech made by a citizen of that Ward, replied in a lengthy address, defending his position with respect to the Philadelphia Platform, and endeavoring to reconcile that with the platform adopted at Binghamton. He denied the wire-pulling propositions laid to his charge by the brother, and pathetically appealed to his country and his God to refute the charge of treason which had been advanced against him. His whole life, he said, had been devoted to the cause of Americanism, and although thus most grievously vilified, he would remain true to the great National American party, and to the principles which it advocated.

The speech was coldly received, and it was quite evident that, politically, Mr. BARKER has lost influence, even in his own Ward. He has become notorious as a member of the new Society called Templars, and this has ruled him with the K. N.'s, and will undoubtedly be the means of expelling him from that party, as also from the Order of United Americans.

Cricket—New-York vs. Philadelphia.

The return match between these two great clubs was commenced this morning—all were on the ground in good time and looked all over ready for cricket—Philadelphia commenced and all of them batted well and played very steadily, but could not make large scores, the bowling was too much for them. They went out for 92 runs. The New-York are now in and have lost five wickets for 53 runs, though HICKMAN went on for round 6, and HARVEY for 2 runs. WHARTON is playing very nicely, and MARSH is just gone in to face him. The runs have been made as follows: Philadelphia—Holland, 2; Barlow, 1; Senior, 1; Winter, 4; Willits, 4; Crossley, 10; Needham, 1; Hawthorn, 5; Fisher, Bradshaw, and Dutton, round 6. Wides, 3; byes, 1. MARSH bowled splendidly and took five wickets. SAMS was not behind, but kept up his character—he made four wickets. The New-Yorkers stand: Harvey, 2; Wharton, 18; Sams, 13; Fletcher, 7; and Parker, 6. Wides, 4; byes, 1. They have a good change of bowlers—Bradshaw, Crossley, Senior, Holland and Needham. The match will be a very good one. We had a very fine morning, but threatens rain this afternoon.

Departure of the Montgomery Guards for Montreal and Quebec.

The Montgomery Guards, under the command of Captain THOMAS S. MURPHY, left this City this morning for Montreal and Quebec, in accordance with an invitation received from the authorities of those towns to accept the hospitalities of our Canadian neighbors. They assembled at No. 13 Elizabeth-street, fully equipped in heavy marching order, and were accompanied by DOLBY'S military band, which will proceed along with the company on their tour. The Emmet Guards, commanded by Lieutenant DOUGHTY, with MANAHAN'S band, escorted them to the Hudson River Railway depot, where the Montgomeries got on board the cars at 8 o'clock, and proceeded to Montreal by way of Lake Champlain and Rouse's Point. They were accompanied by several civilians and some invited guests. The traveling expenses amount to $600. After having starred it in the British capital of Canada, been *fêted* by the authorities, cheered by the wondering multitude, and taking a look at the stalwart fortress where the hero whose name they bear seated his devotion to the cause of freedom with his life-blood, the Montgomery Guards will return to New-York on Saturday, and again "fall in" to their ordinary civil avocations.

New-York Horticultural Society.

A meeting of this Society was held at the Mercantile Library last evening. WILSON G. HUNT occupied the Chair. The report of the Committee of Arrangements for the Fall Exhibition was read and agreed to. The prize list was proposed to be raised by voluntary contributions, and the report stated that the subscription list was proceeding most satisfactorily, and that two-thirds of the amount required had been already subscribed. The report also stated that WILLIAM CULLEN BRYANT, Esq., had consented to deliver the closing address.

The Directors of the Mercantile Library tendered the use of their reading-room for the purposes of the Exhibition, which will take place on the 25th and 26th of September, when prizes will be awarded for the best display of fruit, flowers and vegetables. The Young Men's Christian Association also tendered the use of their rooms.

The Secretary stated that they were honored, last Winter, by a visit from M. VICTOR MATSCHALSKY, Director of the Museum of Natural History, St. Petersburg, and Aid-de-camp to the Emperor. He seemed to take an interest in the Society, and on his return to Russia he sent them seeds of flowering shrubs, trees, and vegetables, which were indigenous to that country. He had received a letter from him, which he would read, only there were some things in it which would not bear publication in the present state of public affairs.

Irish Emigrant Aid Society.

This Society held their usual weekly meeting last evening, at Mr. MULLIGAN's, Grand-street. The Secretary reported that fourteen persons had been sent to the West during last week, and that three members and $13 had also been received. It was agreed that an active canvass should be instituted, to promote the objects of the Society, as numerous applications were being daily made by families to be transferred to the Far West.

New-York Medical College.

The note of preparation for the Winter campaign is already beginning to be sounded at the various Metropolitan Medical Schools.

"Prepared carefully with Death to wrestle,
Armed with a mortar and a pestle,"

the prospect of numerically a host of recruits for the coming Session is quite encouraging, or fully as promising as at any previous period.

At the New-York Medical College the Janitor evidently thinks of setting his house in order for the "opening day." Long rows of dusty bottles, shelves and apparatus in the laboratory will doubtless be neatly arranged prior to the "preliminary instruction in practical Chemistry," which always precedes the Winter's course. In the meantime, Professors CARNOCHAN and PARKER have nearly open out the Summer thread of their respective discourses on Surgery and Physiology, to attentive audiences.

Opening of the Courts.

The Courts commenced the September terms yesterday. The Sessions has a heavy calendar, comprising four murder cases.

The General Term of the Superior Court was opened yesterday, two Judges only being present, the continued illness of Hon. Justice SLOSSON preventing his attendance. The case of DUFFY vs. LEAL was taken up.

SPECIAL TERM—NOTICE TO THE BAR.

The Special Term calendar will be taken up on Saturday, September 8, at 11 o'clock. No other or additional calendar will be made up for the month. All motions and orders to show cause will be heard without a calendar, at Chambers, every day, commencing at 11 o'clock A. M. *Ex-parte* motions and orders will be attended to every day at 11 o'clock A. M.

THE COURT OF GENERAL SESSIONS.

The calendar for the September term by [illegible] is as follows:

Burglary	[illegible]	Rape	[illegible]
Robbery	[illegible]	Assault and Battery	[illegible]
Forgery	[illegible]	Manslaughter	[illegible]
Perjury	[illegible]	Grand Larceny	[illegible]
Bigamy	[illegible]	Petit Larceny	[illegible]
Arson	[illegible]	Total	112

Another Excess Steamer of Fulton Ferry.

Last evening about 6 o'clock, as the Fulton Ferry boat was leaving out of the slip, the point flying out to the crowd "A man overboard," and was presented across the River. Several persons rushed to the assistance of the drowning person, and succeeded in the water could be seen. Considerable confusion prevailed, but not a boat, a rope, or a buoy, was ready to be had in time to be of service, and many [illegible] had been in the water, if it evident that [illegible] was no hand. The [illegible] eighteen years of age, [illegible] down the bridge to get [illegible] was not moving, but before [illegible] off, and he was unable to check himself in time to escape falling into the water. Considerably [illegible] of proper means to rescue people who fall in the river at Fulton Ferry, there was plenty, except in the case [illegible] "A man overboard," and then proceeded on his way.

Fire.

Last evening, at shortly past 9 o'clock, a fire broke out in the basement of the store No. 321 Water-street, occupied as a [illegible] by YOUNG ELLIOTT. Damage estimated at $300. Fully insured.

Brooklyn City Court.

The September Term—for civil and criminal business—of this Court commenced yesterday. There was a grand jury summoned for this Court, but the jurors present were discharged, as a grand jury is to be empanneled in the Court of Sessions, which commences to-day, and there is hardly business enough for two. The Civil Calendar embraces forty-five causes, some of them of much importance. The cases will be called each day until the whole are disposed of. The petit jury was called and the jurors present sworn and discharged to this morning, by which time the Court adjourned.

BUSINESS NOTICES.

BANKERS, BROKERS, MERCHANTS, PUBLISHERS, MANUFACTURERS, JEWELERS, INSURANCE COMPANIES, HOTEL KEEPERS, STEAMBOAT MEN, "and the rest of mankind," should examine that SILAS C. HYDE'S Gems not new make.
WILDER'S PATENT SALAMANDER SAFE, but this "world renowned" safe can now be obtained of R. G. WILDER & CO., Patentees and Manufacturers, No. 125 Water-st., near Wall, N. Y.
N. B.—No Money, Books or Papers were ever lost in one of WILDER'S PATENT SALAMANDER SAFES, and burglary are always foiled, as we apply The best Powder and Bolts to Proof Locks.

TUFFELS EMPORIUM OF Fashion, Fancy and Auction FANCY GOODS, REVELTIES AND TOYS, No. 385 Broadway.

LEARY & CO'S FALL FASHION—THE SUPERIORITY will offer THIS DAY, Sept. 4, to intending purchasers their quarterly custom, the Fall Style of Gentlemen's HATS. Our customers and the public generally, we think will be particularly pleased with the style and quality of the Hats introduced by us for the present Autumn, as in lightness, elegance and durability it has never been surpassed. N. B.—We offer different grade, of the same style, at different prices.
LEARY & CO., Astor House, Broadway.

DR. S. S. FITCH, AUTHOR OF THE "SIX LECTURES on Consumption," Office No. 714 Broadway, will be pleased to afford relief to the afflicted, before it is too late, who have failed to be benefited by the numerous quackeries, for clearing of the lungs or throat. Chest daily from three corrected 1 from 6 to 8 o'clock. Treatise on Consumption, sent free by mail, on receipt of a letter addressed as above. Consultation free. Dr. S. S. FITCH is always at home, and there is no [illegible] otherwise in money connected with his [illegible] had on hand from his office or [illegible].

SEWING MACHINES.—ONE THOUSAND SINGERS A MINUTE!—The great Sewing Machine, the SINGER SEWING MACHINES whereby they can do four times as much and comparatively the easier by one-half of toil, the lightest and expensive of all. We can form of family, the [illegible] that those who have once seen the SINGER, [illegible] SINGERS. Machines for sale at [illegible] of charge.
I. M. SINGER & CO., No. 323 Broadway.

NOTICE.—WE ARE NOW CLOSING OUT THE remainder of our Summer stock of Straw Goods, [illegible] to sell, or cost, a little sooner for good money, [illegible] We make sales greater in Straw goods yearly. Full [illegible] the most biggest assortment of straw goods of any [illegible] offered in New-York, which we expect to sell at such low prices as to command the attention of more than one hundred thousand customers.—TWYLIS & JEROLY, Nos. 33 and 35 John-st., corner of Nassau.

SATIN DE LAINES, WOOLLED DAMASKS, GILT COGNICES, WINDOW SHADES, &c.—SELLY & FERGUSON, No. 201 Broadway, have just received one [illegible] of the above goods, which [illegible] are very beautiful and rich. Also, the largest stock of window shades and other window ornaments in New-York. We are prepared to offer inducements to purchasers of the above goods. No. 201 Broadway.

BERNIA.—ONLY PRIZE MEDAL AWARDED to MARSH & CO. by the Industrial Exhibition of all Nations for their new patent rubber over Trunks, Satchels, etc. Sold by agents, Messrs. Ketchum, Hoyt, Wellman, Moffat, Willard Parker and John M. Carmichael. An extensive list (names of necessities and a few gentlemen cured by this trunk may be seen at WARNER'S, No. 25 Maiden-lane, New-York, and MARSH, COBLIN & CO., No. 6 West-st., Cincinnati, Ohio. Open from 8 A. M. until 8 P. M.

JET GOODS.—JET AND GOLD JEWELRY.—Comprising brooches, ear rings, gold bracelets, [illegible] gold pencils, gold pens, gold [illegible] parasols, traveling bags, shell combs, hair pins, and a great variety of useful articles, at
OSBORNE BOARDMAN & TOWNSEND'S, No. 347 Broadway, cor. Spring-st.

CARPETINGS FOR FALL TRADE, 1855.—SMITH & LOUDERBY, No. 421 Broadway, near Canal-st., have just received, per late arrivals, several large invoices of elegant Velvet Tapestry and Brussels Carpets, which they now offer at retail, at wholesale prices, a large and extensive stock of all other goods connected with the carpet trade, at great inducements.

WIGS, WIGS, WIGS.—BATCHELOR'S Wigs and Toupees surpass in elegance and variety all in the known world. The perfection of production, nature's and beauty, combining the ease and comfortable ness and durability. Also, BATCHELOR'S celebrated Hair Dye and Vivifa Cream for preserving and restoring the hair. BATCHELOR, No. 233 Broadway.

OPENING THE FALL STYLE.—KNOX—THE CELEBRATED KNOX—Opens his Fall style of Hats on MONDAY, at his two Gem Stores, the one at the corner of Broadway and Fulton-st., and the other at No. 128 Broadway, where he expects all styles in the beauty, finish, excellent quality, and reasonable prices of his fashionable productions.

HERRING'S PATENT CHAMPION FIRE AND BURGLAR proof safe, with Rafter's Patent Locks, received prizes at the Worlds Fair, London, 1851, and Crystal Palace, New-York, 1853.—S. C. HERRING & CO., Nos. 189, 191 and 193 Water-st., New-York.

BATCHELOR'S HAIR DYE.—THE ORIGINAL, THE Reliable, the Infallible—the substitute of the artist, the ne plus ultra of nature. True to Nature, without the cost injury to the hair, skin, or health, the best in the world. Hair Dyes, Wade and sold, or applied, (in 9 private rooms,) at BATCHELOR'S Wig Factory, No. 233 Broadway.

GIFTS AND PRESENTS.—JUST RECEIVED AND for sale at reduced prices, the choicest selection of Rosewood Retiredes, Work boxes, Toilet Cases, Jet Brooches, Travelling and Chessmen Backgammon Boards, Perfumery and other Also, every variety of Toys, Dolls and Fancy of amusement, at ROGERS' Fancy Bazaar, No. 440 Broadway.

LOOKING GLASSES FOR THE FALL TRADE, AT GREATLY REDUCED PRICES.—Buyers are invited to examine our stock before purchasing elsewhere.
RICHARDS, KIRCH AND CO., Manufacturers, No. 110 Chambers-st., New-York.

COMB FACTORY.—LADIES ARE RESPECTFULLY invited to examine the choice or horned Horn Combs at the subscribers store. The variety is, beyond all doubt, the greatest in the City.
A. & J. SAUNDERS, No. 297 Broadway.

KID GLOVES AT FIFTY CENTS PER PAIR.—E. H. LEADBEATER & CO., No. 347 Broadway, will open TO-DAY, one case of Ladies' French Kid Gloves, slightly soiled, at 50 per pair. Also, Gentlemen's Under garments, &c.

SILKS—SILKS FROM AUCTION.—SEVERAL large lots of new and elegant styles of Silk Dress Silks will be offered TO-DAY at great bargains. Also, a large lot of superior black Silks, extended to lower than usually charged. E. H. LEADBEATER & CO., No. 347 Broadway.

POCKET AND PEN KNIVES.—THE UNDERsigned call the attention of those in want of the above to their assortment, among which will be found some of the best beautiful and rare patterns ever imported. A. & J. SAUNDERS, No. 1 Astor-H. one and No. 297 Broadway.

RACHEL TRIUMPHANT!—THE AMERICAN PUBlic admit the vast superiority of the wool Brussels, as it does that of the French Royal Velvet Tapestry. Brussels and Ingrain Carpets, selling at a wholesale sacrifice at HIRAM ANDERSON'S, No. 80 Broadway.

PRESERVE YOUR TEETH.—FRUITS AND VEGetables, Pickles, Preserves, Jellies, &c., put up in Arthur's Patent Self-Sealing Cans, which, for simplicity and cheapness are yet forced above all other cans. For sale wholesale and retail, by JOHN ALLEN, No. 32 Maiden-la.

DEFIANCE SALAMANDER SAFES.—ROBERT M. FAIRBICK is the sole manufacturer in the United States of the above celebrated Safes, and prepared to supply the trade at place rates and approved terms. Depot, No. 102 Pearl-st., near Beekman-st., New-York.

PORTABLE DRESSING CASES.—TO TRAVELERS and others these articles will prove most valuable. They are very compact and contain every article required. A. G. SAUNDERS, Sole Agent, Astor House and No. 297 Broadway.

BEEBE & CO., NO. 156 BROADWAY.—FALL FASHIONS for gentlemen's hats and caps. Their assortment is complete.

FROM SANTA FE.

Arrival of the Grey Cloud—Indians' Quiet—New Road from Fort Pierce to Fort Leavenworth.

Abridged from the St. Louis Republican, Aug. 31.

The government steamer *Grey Cloud* arrived from Fort Pierce yesterday, after an absence from this port of eighty-eight days. During this time she made five trips to Fort Pierce as follows: One from the Blind Hills, a distance of 180 miles below Fort Pierce; one to Fort Leavenworth, and three to Fort Gibson; the last one being the long voyage from St. Louis. There is still no improvement in the river owing to any considerable extent this fall—it is at present reported with twenty-eight inches in the channel from Fort Pierce to L'Aux-qui-Court river, and with thirty-three inches *west from that point to Sargent's Bluff.*

Among the passengers on the *Grey Cloud* was Mr. JOHN BARNEY, of St. Louis. *He left the Fort on the 16th inst.*, but brings no news of importance. The squaws have moved off to Fort Pierce more almost wholly occupied with provisions—scarcely any of the military. The Indians remained quiet, in truth, but were healthy and contented. Great difficulties were reported in getting wood and grass—it being necessary to cross the river and go a distance of ten or fifteen miles to obtain either. The Indians were quiet, and LAVERNEAN, one of the interpreters, reported having had a conversation with some of the Sioux Indians, in which they professed a willingness to give up the murderers of the mail party, just full, but thought it was not right to give up those who had killed Lieut. GRATTAN and his party. That, they contended, was a fair fight.

LIEUT. WARREN, of the topographical Engineers, and Mr. CRANE, left Fort Pierce early in August for Fort Kearney, on the Platte, accompanied by some mountain men. The route they intend to take through the territory most likely to be infested with Indians. Their object was to lay out a road connecting Fort Pierce with Fort Leavenworth.

SPECIAL NOTICES.

☞ Rushton's old Liver pill.—A pamphlet has reached us on this subject, issued by FERDINANDE V. MORRISON, one such cured of the liver, the late Wm. L. Stanton of this City, in which the merits of Cod Liver Oil in Consumption and analogous diseases are set forth under the seal of professional authority, and discussed with adequate ability. Without endorsing all that is claimed for its remedial powers, we *do* say nevertheless that many, that the name of Rushton has so long been identified with Cod Liver Oil, by reason of his laudable efforts to improve and prepare the peculiar article for the profession and the public, that the son desires to be considered in perpetuating the reputation acquired by Rushton's Cod Liver Oil, to the preparation of which in its purity he is devoting his special attention. The attempt to deprive him of his rightful claims in this particular, by a rival house, is unworthy of public favor, and cannot fail to be discovered by blind men in the profession. We take pleasure in referring our readers to the advertisement on our last page. Mr. RUSHTON'S stores are at No. 20 Astor House, and on the corner of Broadway and Canal-st.—*Boston Medical Gazette.*

New-York, September 4, 1855.

☞ Rushton's New Remedy.—Fever and Ague can never be thoroughly cured with any one preparation. A remedy published will convince any one that the different stages of the disease must require different remedies, one to break up the chills; and another to effect a cure and restore the system to a state of health. It is the adaption of this principle which has given RUSHTON'S New Remedy the preference over all others. RUSHTON'S, No. 10 Astor House, corner of Broadway, and No. 417 Broadway, corner of Canal-st.

☞ Wet Vesuvs Effectually Remedied in Every Case—Without one single exception, with MOEN'S imperishable "HYDRO-IMPERVIOUS CEMENT," to be applied by him or Messrs. D. DAVIES & Co.'s agents, corner Broadway and Murray-st., and many others. Testimonials to that effect, of unquestionable responsibility, can be seen at his office. Wet cellars, &c., made perfectly dry, with the same preparation. A. B. MOEN, No. 2 Pine-st.

☞ Redding's Russian Salve—25 cts. a Box.—A Balm ready at all years' standing—a sure and speedy cure for Burns, Scalds, Boils, and all external injuries; remains unchanged by any climate; used by all druggists in the United States. A. B. & D. SANDS, C. V. CLICKENER & CO., C. E. King, New-York; WM. R. RIKER, JOHN GILBERT & CO., Philadelphia, and REDDING & CO., Proprietors, Boston.

☞ Balm of Thousand Flowers.—For beautifying the complexion and gentilizing all ills, pimples or freckles from the face. PETRIDGE & CO., Franklin square, New-York; for sale by C. E. KING, Broadway, and F. V. RUSHTON, No. 10 Astor House and No. 417 Broadway.

☞ The Only Medical Discovery without chemicals or poisons. DR. TAFT'S CONSTITUTIONAL RAT COCKROACH, and BEDBUG EXTERMINATOR, and serial Ants, No. 308 Broadway, New-York, and T. R. CALLENDER, No. 48 South st., Philadelphia, Pa.

☞ 2 he Steamer of Hudson has resumed her regular trips, daily, from foot of Hudson-st., EVERY AFTERNOON at 2½ o'clock, touching her usual landings.

PERSONAL.

E. K., OF Y——, PA.—Is requested to call, without delay, at No. 4 Hudson-st., New-York.

POLITICAL.

ELEVENTH WARD.—The FREE-SOIL REPUBLICANS will MEET IN GENERAL CONVENTION, THIS EVENING, the 4th inst., at No. 113 Avenue C. The Republican Electors of the Ward are requested to attend for the transaction of general business, and the election of two Delegates to represent this Assembly District in the Republican State Convention.

FREEMAN HISCOX, President.

Charles Finley, Wm. Gray, Wm. Morris, Samuel Willis, } Vice Presidents.

George W. Barrett, Secretary.

TWENTIETH WARD.—REPUBLICAN AND TEMPERANCE MOVEMENT. The friends of the cause are requested to meet at Continental Hall, cor. 34th-st. and 8th-av., on this TUESDAY EVENING, at 8 o'clock, to aid in the adoption of measures to secure the triumph of their principles.

TAX, TINKLE, & SPECKLES, SUN-BURN, FRECKLES, SUPERFLUOUS HAIRS, &c.—Positively cured by EGURADA'S ITALIAN MEDICATED SOAP. POUDRE SUBTILE removes hair from any part of the body. ROUGE, LILY WHITE, HAIR DYE and RESTORATIVE, at the sole depot, No. 67 Walker-st., first store from Broadway; also, PAYSON'S Indelible Ink; CALLENDER, No. 48 South st., Philadelphia; BATES, No. 139 Washington-st., Boston.

THE REPUBLICAN YOUNG MEN'S ASSOCIATION—No. 68 William-st., between Fine and Cedar-sts.—Members and other desirable to become members, are informed that the Library and Reading Room is now open, and furnished with a variety of books, magazines and papers.

Office hours from 9 A. M. to 6 P. M.

RICHARD BURLEW, President.

J. C. Walter, Recording Secretary.

$10 REWARD.—Will be paid for the arrest of any one selling, or attempting to sell, COSTAR'S RAT COCKROACH, &c., EXTERMINATOR. COSTAR has no partner. HENRY S. COSTAR, No. 334 Broadway, New-York.

CHARLES STARR, JR., & CO.—No. 111 Fulton-st., offer quail and pheasants, which will be furnished in baltimore ready at all hours of the best quality and lowest prices.

LAMPS AND CHANDELIERS.—Of every description for Gas, Camphene, Burning Fluid, Campheneand Oils, manufactured only by and for sale, wholesale and retail, by CHAS. STARR, JR., & CO., No. 111 Fulton-st.

JESSE S. HEATON'S GREEN TURTLE SOUP at 10 o'clock THIS MORNING, Delmonico's, 155 Broadway, corner Liberty-st., is as far superior as the first name, or Gen. Washington is to Gen. Pierce. Try it, and you will find it what the people want; that is truth.

FINE AND EXTRA FINE SEATS.—Consisting of Pine, Maple, Birch and Oak, in one to suit purchasers, by THOMAS F. BRYON, Nos. 1 and 3 Ludlow-street.

H. J. FARRINGTON, SEARMELED CHAMPER of Hartshorn, will be at home on Wednesday, Sept. 5, at 8 o'clock, at 1 Bowery, New-York, and at 21 Court, at Boston.

BROOKLYN SITUATION.—Wanted to purchase, a Boarding-house or hotel, in Brooklyn. Address SPENCER, Daily Times office, stating location and terms.

THE PAVILION HOTEL, BROADWAY.—To be prepared to keep open the Month of Tuesday, Sept. 11. Proposals will be received.

PERUVIAN GUANO.—With government brand fresh and pure, and cheap, for sale by A. LONGETT, No. 34 Cliff-st., corner of Fulton.

WANTED.

SITUATION WANTED AS PORTER.—In dry goods or wholesale grocery, 3 or 4 hours a day. Will give good security, if required, and can be good writer. Any question in regard of hours will find the subscriber a person worthy of notice. Any communication left at the office of this paper for J. A. B. will be promptly attended to.

SITUATION WANTED.—By a respectable young lady, to do the washing and ironing of the nursery, and hand plain sewing. Excellent City references. Wages $10 to $12 a month. Also, a boy of 17, as errand and chore boy. Wages $4 to $6. Call at No. 120 East 22d-st., second floor, front room, two days.

SITUATIONS WANTED.—By two Protestant young Germans; one to do general housework; the other, as chamberman and waiter, or nurse and seamstress. Also, a Protestant girl of 20 years of age, of good habits, as chambermaid and waiter, or as chamberman and fine laundress, by a tidy active young woman. Call at No. 176th-st., in the Cemetery.

SITUATIONS WANTED.—As a first class cook, and this week and from, or as laundress in a private family; or a very experienced girl, with good City references, and as chambermaid and waiter, or as chamberman and fine laundress, by a tidy active young woman. Call at No. 176th-st., in the Cemetery.

SITUATION WANTED.—By a young woman, as to housework, washing and ironing, or to cook; or nurse in a small private family; a good baker, or as laundress; has good City references. Apply at No. 204 43d-st., in basement, near 8th-av.

SITUATION WANTED.—As cook in a highly respectable family, one who understands her business perfectly in every respect in French and English cooking, also baking and pastry cake. Can be seen for two days at No. 38 Bronome-st.

SITUATION WANTED.—By a respectable middle aged woman, as nurse, or as waiting maid to a lady going abroad to Europe; the applicant has crossed the ocean three times, and does not suffer from sea sickness; the very best of references given. Address Box No. 405 Post-Office.

SITUATION WANTED.—By a widow lady as seamstress and to wait on a lady or grown children in some respectable family; can be seen for two days at No. 25 Bleecker-square, corner of Troy-st. and 8th-st.

SITUATION WANTED AS WAITER.—By a respectable young englishman, who perfectly understands his business. The best of City references given. Direct X Y Z, *Times* office, for three days.

SITUATION WANTED.—By a very respectable young woman as cook; understands it in all its branches. The very best of City references if required. Address S. M., Brooklyn Post Office.

SITUATION WANTED.—By a Protestant girl as chamber maid or waiter in a small family. Best references given. Call at No. 132 16th-st., between 6th and 7th-ave., for two days.

SITUATION WANTED.—By a man from the country, as a Flour and Feed Store. Can control a good trade. Address S. J. E., *Times* Office.

SERVANTS.—Female help of all kinds for City and Country, may be had at the office, No. 13 8th-st., one door from Troy-st.; a large number of the first class are now waiting, well recommended from their last places; among whom are several Protestants; also young girls from 12 to 15 years old.

SERVANT WANTED.—A girl who can come well recommended as cook, washer and ironer, and for general housework; one who is not afraid to work, and would like to live in the upper part of the City, may apply at No. 20 East 26th-st., between 4th and 5th-ave.

TO EMPLOYERS.—Families from the City and Country in want of good servants will find at the Office, No. 120 Bowery, a good selection of cooks, laundresses, chambermaids, nurses, waiters, coachmen, general housework, and small girls. Terms—Yearly subscription, 50 cents; otherwise 25 cents.

GARDENER AND WIFE WANTED.—Without children; the wife as laundress and to take charge of dairy, or chambermaid and laundress; the gardener must be capable of taking charge of a green-house and vegetable garden; also a boy of 15 years, to attend to fruits. Scotchman preferred. Inquire of J. R. TURNER, No. 14 Worcester-st., before 10 o'clock every morning.

A BY PERSON.—Desirous of obtaining the services of a competent and intelligent woman as housekeeper, in a private family, or to superintend a boarding house at the South or West, or any part of this State, will call on or address Mrs J. W., No. 160 East 29th-st., between Lexington and 3d ave. References given and required.

UNE DEMOISELLE FRANCAISE.—Qui a reçu une éducation européenne, et qui a déjà enseigné avec succès, désire un fait des différentes méthodes qui sont en usages (tant en pays et.) desire entrer comme telle, dans un pensionnat, ou dans une famille privée. Mademoiselle parle l'Anglais avec facilité, et peut enseigner dessiner des leçons dans cette langue, aussi la piano et la peinture sur commencantes. Les ouvrages de goût, de toutes espèces. References from clergymen and families of the highest standing. Address immediately, post paid, MADEMOISELLE, Box 176 Hudson-st. Center 5th-av., New-York. Has no objection to go Southern West.

LIBRARIAN WANTED.—By an Association in Jersey City, to act as Librarian; one disabled for the Ministry would be preferred. The Library is small and the duties light; he would therefore have a great deal of time to pursue his studies at the rooms. He should be an intelligent and accomplished man, of respectability and undoubted piety, and willing and desirous to advance the interests of the institution. A reasonable compensation would be allowed. Address LIBRARY, Box No. 2,307, Post-Office.

A COOK WANTED.—To go ten miles out of town; she must understand her business thoroughly, must be a good bread and pastry maker, and take care of a small dairy. None need apply but those who can bring good recommendation. Call at No. 297 Pearl-st., between 9½ and 10 o'clock, Wednesday morning.

FEMALE HELP OF ALL KINDS.—May be obtained at the office of the American, &c., Employment Society, No. 13 Bible House, Astor-place; No. 2 Sands-st., Brooklyn, and No. 97 Greenwich-st. Also, farm hands, gardeners, coachmen, &c., at No. 97 Greenwich-st. A great number of girls, from 12 to 14 and 17 years of age, may be had.

FEMALE SERVANTS' HOME.—No. 140 Grand-st., is a respectable, quiet and cheap boarding house for female servants while out of place. They are also provided with the most respectable permanent situations. Servants from the country find it great convenience. *Apply to the Matron, No. 140 Grand-st., New-York.*

WANTED FOR WHALING VOYAGES.—Young Americans and tyndal, able coopers, carpenters and blacksmiths, cooks and steward; advances from $50 to $75 to outfit. Apply No. 20 West-st., *near Pier No. 4 North River.*

TO YOUNG MEN.—WANTED.—Landsman; also, coopers, carpenters, blacksmiths, cooks, stewards and third officers, for Wholesales new fitting. All clothing furnished for the voyage. Inquire at the office of the Company, No. 97 West-st., corner Cedar-st., up-stairs, opposite Pier No. 14 N. R.

ANY IMPORTING OR BANKING HOUSE, OR Incorporated company, in want of a thorough and competent accountant and rapid penman, may hear of one by addressing a situation, on application to Box No. 1,761 Post-Office.

THREE YOUNG MEN WANTED.—To engage in a light agreeable business. A small capital required. Also, a man with $150, to take charge of a light business on a liberal salary. Apply to M. M. FLORENCE, No. 443 Broadway, room No. 3, up-stairs.

WANTED.—Fifty orders are now daily received from families returning to the City for male and female help. Several good situations now ready; twenty Protestant girls wanted immediately—a coachman, groom, waiter, porter and a hotel clerk. Apply at the Brooklyn Family and Servants' Industrial Institute, No. 206 Fulton-st. Under the approval of His Honor the Mayor.

Mrs. C. E. PARKER, Female Superintendent.

F. Browne, General Agent.

EMPLOYMENT.—Wanted, by the subscriber, a few decent men of general appearance and good address, to solicit orders for the well illustrated publications of Samuel Walker, Boston. City references required. Terms liberal. Apply at the office No 65 Chatham-st., up stairs, from 9 o'clock A. M. to 4 o'clock P. M.

JOSEPH PRICE.

MUSICAL.—A Soprano and an Alto wish situations in an Episcopal Church, in this City. They have sung in more Episcopal Churches than one for months, and can give good references. Apply at No. 177 Henry-st., Brooklyn.

LAW.—The advertiser, who has been in practice in this City during the last two years, would like to make an arrangement with some older lawyer as assistant or junior partner. Address GROTIUS, *Daily Times* Office.

287 BROADWAY, COR. BRADE-ST.—At MORRIS COHNERT & CO.'S, can be obtained respectable German, English, Scotch and Irish help, for hotels, boarding-houses and private families; also, waiters, coachmen, gardeners, furniture and mechanics, at this or the branch office, No 102 Greenwich-st. Terms moderate.

FIRST-CLASS COOKS, NURSES, LAUNDRESSES, &c.—Are wanted immediately for excellent situations now ready, at THE SERVANTS' INSTITUTE, No. 142 Grand-st.

JOHN YOUNG—Agent of the PROTESTANT EMIGRANT SOCIETY, is very successful in supplying families, boarding-houses, &c., with female servants. Office No. 7 Carmine-st., near Bleecker.

MACHINERY.

STRAW AND HAY CUTTERS.—Hovey & Co.'s make at the manufactory price. For sale by A. LONGETT, No. 34 Cliff-st., corner of Fulton.

NEW INSTAND.—BULL'S EXCELSIOR INK-STAND.—This article is made of porcelain, is simple in its construction, will hold within the fountain a half pint of ink, will keep the ink free from dust and atmospheric influences, will drip ink into the cup for use a small quantity as fast as it is used, and no faster; will not evaporate from expansion, and if upset will spill only such ink as may be in the cup. This Inkstand is entirely free of machinery, or to get out of order, is durable, and combines all the improvements sought for in an inkstand, including a perfect freedom from a liability of getting out of order. For sale by the trade, at stationers, and the trade supplied by EDWARD A. LAMBERT, Wholesale Stationer, Nos. 116 and 118 William-st.

HARRISON'S MACASSAR OIL.—An original and first invention, without a rival, in the estimation of HARRISON'S AMERICAN GENIUS. It is compounded with a perfume of oriental odors, to please the taste of all, and all who use it will pronounce it best of all. E. TOWNSEND & WILLIAMS, No. 216 Pearl-st., wholesale. It is verified by B. F. NASH, No. 144 Bowery, who have HARRISON'S ANTIQUE HAIR OIL, accompanied with six assorted odors, that fancy's taste may have its choice. It gives a shining lustre to the ringlets of beauty, and throws a lovely fragrance around.

THOMAS DUGAN.—Begs leave to inform the friends of his late father, THOMAS DUGAN, that he has resumed his business as GENERAL UNDERTAKER, and will attend to their orders in all branches of his business as he was, at his office, No 848 Broadway, (east side, a few doors below 14th-st.)

BOARDING.

BOARDING.—No. 24 VARICK-ST.—Adjoining Franklin-square, near to all the principal hotels and Wall-street. This position, in the vicinity of St. John's Park, being very convenient to the business part of the City. Refreshments arranged.

BOARDING.—Gentlemen and their wives can be accommodated with parlors, and bedroom adjoining, on second and third floors, at No. 61 West 32d-st. A few rooms for single gentlemen. Transient boarders can also obtain rooms and board by the day or week.

BOARDING.—A few respectable mechanics and others can find good comfortable Board and lodging at No. 120 Henry-st. Also a gentleman and wife, N. B.—Hot and Cold Bathing Rooms attached. Call and examine.

BOARDING.—Gentlemen and their wives, also single gentlemen, may obtain fine rooms and good board by applying at No. 65 Union-square, corner of East 16th-st. Reference exchanged.

BOARDING.—Either transient or permanent, for families or single gentlemen, at Nos. 65, 67 and 69 Murray-st. Dinner 1 and 3 P. M.

BOARD WANTED.—For single gentleman. Apply to CHARLES W. FOLSAM, No. 187 East 16th-st., near 2d-av.

BOARD IN BROOKLYN.—For a single gentleman, or a married couple, without children, in the house corner of Clinton and Gates-ave. The accommodations are a spacious bedroom and closet; with parlor and piano, in common with the family. The furniture is new and complete. Terms for one, $6, without dinners during the week; $12 for two, with full board. Address J. W. S., Box No. 1,316 Post-Office.

BOARD IN BROOKLYN.—Five minutes' walk from South Ferry, No. 43 Warren-st., near Henry, a desirable gentleman can obtain pleasant rooms with breakfast and tea.

BOARD WANTED.—By a gentleman and wife, in a genteel private family, where there are no other boarders, in the cities of New-York or Brooklyn. Address, with real name and number, W. B., *Times* Office.

BOARDING.—A second story front room, with bedroom attached, can be had at No. 97 East Broadway.

ROOMS TO LET.—A small private family of adults would prefer to let two gentlemen, without board, two delightfully situated rooms, in the second story of a first-class house, within five minutes' walk of Wall-st. and South Ferries. Apply at No. 177 Henry-st., Brooklyn.

DESIRABLE ROOMS.—Two or three gentlemen can obtain very desirable *suites of rooms, or single* rooms, with partial board, if required, in a first class brown stone house, with all the modern improvements, convenient to the cars and stages. *No. 71 West 14th-st., first house west of 6th-av.*

$3.50 *the room together*, can meet with a comfortable room, on third floor, with good board, and in a pleasant location. Apply at No. 65 Henry-st., Brooklyn.

AT NO. 35 RUTGERS-STREET.—Three or four single gentlemen, or a gentleman and his wife can obtain agreeable and commodious rooms with good board. The house is pleasantly located and well finished, having bath, gas, &c.

TWO PLEASANT FURNISHED BEDROOMS for gentlemen, may obtain fine rooms and good board by applying at No. 65 Union-square, corner of East 16th-st. Reference exchanged.

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TWO PLEASANT FURNISHED BEDROOMS for gentlemen, may obtain fine rooms and good board by applying at No. 65 Union-square, corner of East 16th-st. Reference exchanged

INSTRUCTION.

ACADEMY OF MUSIC AND THE LAR-ABOCHE—Mr. G. F. CALDWELL respectfully informs the Parents and Guardians of his Pupils, that on the 3d August, he will be prepared to receive them at the Academy, and will be ready to commence the Fall Term on the 10th September, when the Academy will be opened to the public for Instrumental Concerts. Our pupils will be found at the Academy on Tuesday, the 10th, at 9 A. M., in the Concert room.

THE DEPARTMENT OF MEDICINE will open on the 8th October; and all Students will enroll themselves at the College, No. 16 Bond-st.

THE DEPARTMENT OF CIVIL ENGINEERING—Prof. Rankine will commence his course on Tuesday, the 18th September next, at 9 A.M. Applicants for admission will present themselves on Tuesday, the 18th, at 9 A. M., in the Council room.

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THE DEPARTMENT OF ARTS OF DESIGN—The School of Design will commence lectures on the 15th September, at the residence of the Principal, No. 80 East 20th-st., one door from Broadway.

THE DEPARTMENT OF PRACTICAL CHEMISTRY will be open for the reception of students on the 17th Sept.

DEPARTMENT OF MODERN LANGUAGES—Classes will be formed at the commencement of other college duties, and arrangements may be made for evening instruction.

THE GRAMMAR SCHOOL, Prof. Johnson, Rector, will be opened for students on Monday, 10th September.

ISAAC FERRIS, Chancellor.
UNIVERSITY, WASHINGTON-SQUARE, August 7, 1855.

BOARDING AND DAY SCHOOL FOR YOUNG LADIES—By Rev. S. HUTCHINGS and Mrs. HUTCHINGS, No. 1 Bond-st. Term The Autumn Term of this School will commence on the second WEDNESDAY in September, and will continue 11 weeks. Pupils will be received at any time, by the Principals, at the rate of the Term of the School, or prepared for any class in the School as may be desired. Pupils will be taught Music and instruction in the French, German and Spanish languages, by competent teachers. Reference is permitted to Rev. Dr. Cox, Rev. Dr. Ferris, Rev. Dr. Tyng, Rev. Dr. Taylor, Rev. Dr. Cheever, Rev. Dr. Ludlow, Rev. Dr. Bethune, Rev. Dr. Osgood, Rev. Dr. Ewer, Rev. Dr. Cox

CITY BANK STATEMENTS.

STATEMENT OF THE AMERICAN EXCHANGE BANK, OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE ATLANTIC BANK, OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF AMERICA—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF COMMERCE, IN NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF THE COMMONWEALTH, IN NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF NORTH AMERICA—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF THE REPUBLIC OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF THE STATE OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BOWERY BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BROADWAY BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BULL'S HEAD BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BUTCHERS AND DROVERS' BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE CHEMICAL BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE CITY BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE COMMERCIAL BANK, OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE COON EXCHANGE BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE EAST RIVER BANK, NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE FULTON BANK, IN THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE GREENWICH BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me this 3d day of September, 1855.

STATEMENT OF THE GROCERS' BANK IN THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE HANOVER BANK, NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE ISLAND CITY BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE IRVING BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE LEATHER MANUFACTURERS' BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me this 3d day of September, 1855.

STATEMENT OF THE MANHATTAN COMPANY OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MARINE BANK OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MARKET BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MECHANICS' BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MECHANICS' BANKING ASSOCIATION—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MECHANICS AND TRADERS' BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MERCANTILE BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE MERCHANTS' BANK, OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE METROPOLITAN BANK, OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE NASSAU BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE NATIONAL BANK OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE NEW-YORK COUNTY BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE BANK OF THE NEW-YORK DRY DOCK COMPANY—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE NEW-YORK EXCHANGE BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE NORTH RIVER BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE OCEAN BANK, IN THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE ORIENTAL BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE PACIFIC BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE PEOPLE'S BANK OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE PHENIX BANK OF THE CITY OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE ST. NICHOLAS BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE SEVENTH WARD BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE SHOE AND LEATHER BANK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE TRADESMEN'S BANK OF NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me, this 3d day of September, 1855.

STATEMENT OF THE UNION BANK, NEW-YORK—As required by Chapter 200, Laws of 1855, for the week ending Saturday, the 1st day of September, 1855:

Sworn before me this 3d day of September, 1855.

EXPRESSES.

WELLS, FARGO & CO., No. 87 Broadway, will forward their express to CALIFORNIA, OREGON, SANDWICH ISLANDS, AND PACIFIC COAST OF SOUTH AMERICA, on WEDNESDAY, Sept. 5, 1855, by Panama and Nicaragua Routes, in charge of Messrs. Wells, Fargo & Co., who will attend to the delivery of the property in California. Freight received until 12 M. on Wednesday, and made waterproof—small parcels received until 1 P. M. Letters must be enclosed in Government envelopes or they cannot be forwarded by this Express. Goods shipped in bond. D. N. BARNEY, President.

IN PURSUANCE of an order of the Surrogate of the County of New-York, notice is hereby given to all persons having claims against JAMES WAGER, late of the City of New-York, deceased, that they are required to exhibit the same, with the vouchers thereof, to the subscriber, at his office, No. 11 Nassau-st., in the City of New-York, on or before the 10th day of November next.—Dated New-York, the 5th day of March, 1855.

sth13-1m*eow** ROBERT H. JOLLEY, Administrator.

RAILROADS.

GREAT CENTRAL ROUTE.
The Through Ticket and Freight Office of the GREAT WESTERN RAILWAY, MICHIGAN CENTRAL RAILROAD, and their Railroad and Steamboat connections to Chicago, Milwaukie, Galena, Burlington, St. Louis, Cairo and all points West and Southwest, VIA SUSPENSION BRIDGE, BUFFALO or OSWEGO, is at No. 193 Broadway, New-York. For full particulars of Contracts or Tickets, apply to DARIUS CLARK, Agent.

AMERICAN-AKRON-CHICAGO RAILROAD LINE—CONNECTING BUFFALO AND ERIE, CLEVELAND AND ERIE, AND CLEVELAND AND TOLEDO RAILROADS—Connecting with Michigan Southern and Northern Indiana Railroad, the quickest and best route to Chicago, St. Louis, Rock Island, Cincinnati, Indianapolis, Peoria, Springfield, Fort Wayne, Bellefontaine, Tiffin, Findlay, &c.

SPRING ARRANGEMENT—SUMMER, May 8, 1855.—EXPRESS MAIL—Leave Buffalo at 1 A. M., Cleveland at 1 P. M., for Toledo, Chicago, St. Louis, &c., connecting at Toledo with 2:30 P. M. train of M. S. Railroad, reaching Chicago at 2 next morning, connecting with train of Chicago and Mississippi Railroad, reaching St. Louis at 11:30 P. M.

LIGHTNING EXPRESS—Leaves Buffalo at noon P. M., Cleveland 8:30 P. M., for Toledo, Chicago, Cincinnati, St. Louis, &c., Toledo at 10:30 P. M., Chicago 8 A. M., Cincinnati 7 A. M.

NIGHT EXPRESS—Leaves Buffalo at 8:30 P. M., Cleveland 6:15 A. M., for Toledo, Chicago, Cincinnati, St. Louis, by Ohio train road. Toledo at 10:30 A. M., Cincinnati 7:30 P. M., and Chicago at 9:30 P. M., in season to take the train of Chicago and Mississippi Railroad for Alton, from which place they take steamer, reaching St. Louis at 2:30 P. M., or, by leaving Alton by

New-York Daily Times

THE BURLINGTON CATASTROPHE.

CORONER'S INVESTIGATION.

FOURTH DAY'S PROCEEDINGS.

TESTIMONY CONCLUDED.

CONDITION OF THE WOUNDED.

THE UNRECLAIMED BODY.

The Coroner's Jury resumed its sittings at Burlington yesterday morning. There were not as many spectators present as on the previous days of the investigation.

At the opening of the session, Justice WHITNEY stated to the Jury that the body of one of the persons killed on the contact, and yet remaining at Burlington, was still unclaimed. The gentleman, he added, who claimed it first, had arrived this (Monday) morning, and on examining the body, declared it not to be that of Mr. HUNTINGTON, of Peoria, Illinois. He was instructed with all the HUNTINGTONS of Peoria, and was quite positive that the corpse before him did not belong to any of the HUNTINGTONS of Peoria. During the examination of the effects of the deceased this morning, there were found on the person of one of the persons of his acquaintance; this may lead to identification. Mr. Pugsley, a lawyer, who is still here, persists in saying that the body is that of Mr. NATHANIEL HUNTINGTON, of Peoria. The deceased he felt he could be quite positive, and was quite indignant at the refusal of the Jury to place the body in his charge, and deliver to him the effects.

This Mr. HUNTINGTON, of Peoria, was on board the fatal train, there is no doubt.

After a general conversation among the Jurors, testimony in the case was again resumed.

WITNESSES OF A PASSENGER.

Edward Vanderoy, sworn: Q.—Where do you reside? A.—In Camden.

Q.—Were you on board the 10 o'clock A. M. train from Philadelphia on the 20th of August? A.—I was.

Q.—What car were you in? A.—In the third car from the rear—I think it was marked C.

Q.—Were there any persons in that car who have testified before this Jury? A.—Yes, Sir, you were, (pointing to the Foreman of the Jury,) Col. Hampton and some others.

Q.—When that train commenced backing, did you observe its speed? A.—I recollect a loud blowing whistle (*Signal Engineer*), caused us to stop; I saw in the habit of traveling in cars; I heard the whistle of another train after, and I knew that another train was coming, as one was due at Burlington; then our train commenced backing; I observed the retrograde motion, but it did not strike me as be faster than usual when backing when we went home; but very soon after I observed that we were going at an unusual speed for backing; being acquainted with the road in that vicinity, this rapidity of backing did not excite my fears; if I were on a passage road, or if there were a curve there, I should probably be alarmed; very soon after these thoughts I felt that there was a jerking, an unusual motion in my car; it seemed but twenty elapsed, when I heard a grinding and breaking, and I recollect saying to the passengers in a loud voice, "Sit still," as I consider it safer; I was then thrown out in which I was, suddenly come to a stop. I will state to the Jury that I recollect hearing distinctly the whistle of our engine very shortly after we commenced our retrograde movement; the whistle was such a one as is blown when coupling or uncoupling; it was very loud.

Q.—Can you fix the time between the whistle and the collision of the cars? A.—I could not like to fix the time; it was very short time.

Q.—Can you say from the rate of speed at which the train was backing? A.—I think I form an idea of the speed of a train forward; I sometimes, while in cars, amuse myself by looking at my watch when passing mile posts, to see how fast we are going; I have gone along forward at twenty-five miles an hour; I am not accustomed to backing more than eight or ten miles an hour; I recollect saying to a fellow passenger while we were backing that I thought we were going about fifteen miles an hour.

Q.—Do you think you were going before you backed? A.—After we passed the bridge we were going at the rate of 10 or 12 miles an hour; I felt the jerking.

Q.—Did you know of the cross-roads there? A.—I did.

Q.—How far from the cross-roads were you when you commenced backing? A.—I think about a mile, or a mile and a quarter.

Q.—Do you know Amos Norwood, the conductor of the train? A.—Yes; better than any other conductor on the road.

Q.—What do you know of him as a conductor? A.—I always regarded him as a skillful, prudent and reliable conductor; I felt safe when in a train under his charge; that is my other.

Q.—Do you know any engineer or brakeman of the train? A.—No, Sir.

ANOTHER PASSENGER'S EVIDENCE.

Allen Vanderoy, sworn: Q.—Where do you reside? A.—In Camden.

Q.—Were you in the train o'clock A. M. line up from Philadelphia on Wednesday? A.—I was.

Q.—Which car were you in? A.—In the car next to the last car.

Q.—Was that car injured? A.—Yes, considerably.

(Here the Jury stated that they had received a note from Mr. Gerry, of Jersey City, stating that the chief brakeman of the fatal train was so much injured as to be unable to leave his home in Trenton to attend the inquest.)

We were about a mile or two miles above the cross-roads when the noise came in sight of each other; I heard the whistle given—two whistles—to stop the train, and the signal was given for starting back.—that is, three waves of the whistle; I observed that we were going back shifting fast, and being under the impression that there was a curve in the road, I was about to say, we were going too fast. I heard a blow of the whistle; I felt the shock of the cars; I supposed it to be caused by some dirt on the track; I then felt a jerking; I felt and reached to each other; the cars began to go off the track; I then observed the Conductor; he was on the top; I then observed the Conductor; he was on the top; I was very hard.

Q.—Do you fix the time between the whistle and the collision of the cars? A.—I could not like to fix the time; it was very short time.

Q.—Can you say from the rate of speed at which the train was backing? A.—I think I form an idea of the speed of a train forward; I sometimes, while in cars, amuse myself by looking at my watch when passing mile posts, to see how fast we are going; I have gone along forward at twenty-five miles an hour; I am not accustomed to backing more than eight or ten miles an hour; I recollect saying to a fellow passenger while we were backing that I thought we were going about fifteen miles an hour.

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